FOR MYSORE STATE

Home (195) Department.

R SERIES.

G.O. No. 3396

Dated 17 11-54

Passed
RR EK

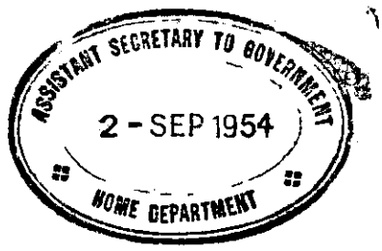
[Despatch Abstract.]

Before the Secretary to Government, Home Department,

Government of Madras, Fort St.George, Madras-9.

A.Misquith, Proprietor,
Misquith Motor Service,
Hampankatta, Mangalore-1,
South Kanara. .. Petitioner.

S i r,



Sub:- Motor Vehicles - Stage Carriage, Route - Mangalore to Someshwar; and Coondapur to Karkal - Variation granted by extension from Someshwar to Coondapur and from Karkal to Mangalore - Revision Petition under Section 64 A of the M. V. Act.

Ref:- (1) Regional Transport Officer's Notification Ref.C.No. 11181/53-A dated 9-5-1954.
(2) Representations of the Petitioner dated 25-5-1954 to the Regional Transport Officer, South Kanara, Mangalore.
(3) My letter dated 30-6-1954, to the Regional Transport Officer, South Kanara, Mangalore.
(4) Ref.No.11181/53-A, dated 3-8-1954, of the Regional Transport Officer, South Kanara, Mangalore, granting the extension.

116960

I beg to prefer this revision petition against the orders of the Regional Transport Officer, South Kanara, Mangalore, in Ref. C.No.11181-53-A, dated 3-8-1954 (Order enclosed) on the following grounds:-

That the orders of the Regional Transport Officer is contrary to law, weight of evidence and probabilities of the case and therefore it is unsustainable.

The Regional Transport Officer has erred to consider all the aspects of the case before passing final orders.

The Regional Transport Officer ought to have held that the extension sought for covers an altogether different route. He should have therefore refused the extension consistent with the several prior decisions of the

Regional Transport Authority on similar subjects explained in my representations (Copy enclosed). M/S 15·20 in bra

The finding of the Regional Transport Officer that there is traffic need for putting through buses on Mangalore-Coondapur route is contrary to the recent decision of the Regional Transport Authority, South Kanara, held on 31-1-1954 at 11.00 A.M. at the Collector's Office, Mangalore, Item No.V " To consider the proposal for the introduction of Express bus service on route Mangalore to Coondapur via Moodabidri - Karkal - Someshwar and Koteshwar and to fix the maximum number of express services on route in case the proposal is considered necessary R.No.6953/53-A". Decision of the Regional Transport Authority:

"Not Recommended" (Sd.) A.Mahalingam Chettiar, Chairman.

2. The Regional Transport Officer has failed to understand that the necessity or otherwise for direct services has to be considered with reference to the existing state of affairs and not to that which existed in 1948. The Regional Transport Officer's consideration and grant of the extension with due reference to old records of 1948 is therefore contrary to law.

Though there was a proposal to introduce four buses on this route in 1948, the position has changed altogether since then by the coming in of several buses. In 1950 two direct buses were introduced to serve the needs of the direct passengers:-

1. One bus between Mangalore - Moodabidri.
2. One bus from Coondapur to Ujre via Someshwar-Karkal and Moodabidri.
3. One bus from Udipi to Dharmastal via Karkal and Moodabidri.
4. One bus from Coondapur to Balebare via Halady.

were all introduced. All these serve the travelling needs of the public on the Mangalore to Coondapur route. Besides several cut trips have been granted to many buses between Karkal - Moodabidri and Karkal - Someshwar sectors. Two town buses were also recently introduced between Karkal and Muniyal which forms a sector of Mangalore- Coondapur route. Thus the route is amply served now indeed. The cut trips performed by my bus MDX. 1842 and the West Coast Transport MDX.1967 on Coondapur-Someshwar sector were discontinued due to there being no traffic. So the traffic position as at present is not as it was in 1948. I may also say that the proposal mentioned above was merely a proposal. The Transport Department had not investigated or assessed the volume of traffic at that time to give any consideration now to claims based on such application which is highly irregular.

The Regional Transport Officer has failed to take into consideration that present state of affairs and has based his decision on the representations of the big fleet owners made as far back as 1948, with copies of petitions behind the back of the petitioner and no chance was given to the petitioner to refute these petitions.

3. The Regional Transport Officer has failed to call for the collection statements of the operators on Mangalore to Coondapur to assess the volume of traffic on the two direct buses granted to new operators in 1950.

The observation of the Regional Transport Officer that the collection statement of Messrs. Canara Public Conveyance Co., Ltd., Mangalore, show that through passengers from Mangalore to Coondapur are being taken even now by two buses cannot have much force. The practice of issuing through tickets from one end of a long route to the other with two

or four buses connecting each other is a routine in this district. To quote an instance, direct tickets are issued from Mangalore to Subramaniya and Udipi to Ujre, Udipi to Belthangady, etc., even though there are no direct buses. The passengers are transhipped from one bus to another. So the collection statements of the C.P.C.Co., Ltd., is not a ground on which the necessity for further direct services has to be decided. There will always be some percentage of through travellers and there are two direct buses to serve them.

4. No inconvenience whatsoever is caused in the transhipment of Mangalore - Coondapur passengers at Karkal because invariably almost all passengers get down at Karkal Bus Stand for refreshments. Even all direct passengers travelling in my bus also get down at Karkal stand for refreshments. No passenger would like to travel a long distance of 90 miles without getting down from the bus for refreshment at Karkal. The non-receipt of any complaint from the public about the so called inconvenience in transhipment from one bus to the other of the C.P.C. Co., Ltd., from time immemorial is in itself a proof that there is no inconvenience to the direct travelling public till now. Therefore the reasoning of the Regional Transport Officer in granting extensions to alleviate the so called the inconvenience is unfounded.

5. The Regional Transport Officer's finding that transfer of permits made by the C.P.C. Co., Ltd., is not a ground for rejecting applications for extensions is not legal. If extensions forming new routes are granted to those trading in permits there will be no distinction between one who obtains permits by legal procedure and the

one who gets by transfer for the money value paid. The reasoning by the Regional Transport Officer is contrary to law and natural justice.

Out of the four buses with permits sold by C.P.C.Co., Ltd., three buses were running on a portion of the sector of Mangalore - Coondapur route.

6. The reasoning that C.P.C. Co., Ltd., will adopt their existing timings even after extension is also not correct. The Company has no services from Karkal to Mangalore scheduled to reach Mangalore between 10.30 A.M. and 12.00 Noon. From the timings now granted to the Company after extensions, it is noticed that their bus leaving Coondapur reaches Mangalore at 11.30 A.M. It is therefore not correct that there will be no change in the existing timings. The Regional Transport Officer has observed that the existing operators will not be effected by the extension which is not based on actual facts. The extension granted greatly affects my service leaving Coondapur at 8.00 A.M. and reaching Mangalore at 2.00 P.M. The C.P.C. Co., Ltd., bus is scheduled to run only two hours in advance of my bus on the entire route. I am therefore put to heavy loss for no material benefit to the passengers.

The timings now granted is not suitable for conveyance of postal mail for which the extension was considered necessary. The extension is therefore asked and granted for the sole intention to create unhealthy competition and to drive away the two new operators. The extension is not in public interests but only in operators' interest and is therefore unwarranted. No public has ever represented the necessity for the extension granted.

The C.P.C.Company is carrying mail from Mangalore to Coondapur and delivers it between 12 and 1 P.M.

according to their age long practice. If they are to carry mail by the present extension the mail can be delivered at Coondapur only at 3.00 P.M. and not earlier than before. Two hours delay ~~in delay~~ in delivery should be considered a very serious matter now-a-days. So the extension is not for postal conveyance. According to the printed memorial of the merchant class at Coondapur they desire postal mail to reach them before 12.00 noon and return the same day. This is only feasible if the extra trip applied for by me in my petition dated 26-10-1953, notified in R.T.O's Ref.C.No.16687/53-A dated 17-3-1954, is granted. Keeping aside my request for a round trip made both in public interest as well as in postal interest the extension applied for by Messrs. C.P.C. Co., Ltd., has been granted to the much disadvantage of the new individual operators.

7 The Regional Transport Officer has failed to consider the aspect that the extension would result in curtailment of existing transport services between Moodabidri and Someshwar a distance of 35 miles by two single trips per day which is a great disadvantage to the intermediate station passengers. The extension of route granted by the Regional Transport Officer does not therefore satisfy the requirements of Article 19 (6) of the Constitution as the extension is not in the interest of the public. The need for the extension of service should have been considered only in public interest and not in operators interest.

8. The Regional Transport Officer failed to consider the representations made by me that the C.P.C.Co., Ltd., which is the biggest transport concern in this district with a network of services are creating unhealthy competition with the Small Bus Operators by col-

lecting lesser fares from passengers-on all routes operated by the Small Bus Operators.

The fare from Mangalore to Coondapur by my bus and that of West Coast Transport, Ltd., is Rs.3-7-0. Whereas C.P.C.Co., Ltd., is charging Rs.3-2-0 per passenger.(Ticket No.29058 dated 31-8-1954 for Rs.3-2-0 by C.P.C.Co. Bus, 9.30 A.M. Service Mangalore - Karkal - Someshwar - Coondapur route is enclosed) The extension if granted would help the operator to intensify their method of unhealthy competition by collecting lesser fares and pooling all the intending passengers of the Small Bus Owners like me and West Coast Transport, Ltd., on this long route from Mangalore to Coondapur The extension granted by the Regional Transport Officer is therefore quite contrary to the provisions of Section 47 (1) (c) of M.V.Act. It has therefore to be set aside.

9. The grant of extensions of route made by the Regional Transport Officer is also against the principles laid down in G.O. Ms. 1037 dated 28-3-1953.

Under Rule 208 (b) of the M.V.Rules if the application is for the variation of a permit and the grant of variation would authorise transport facilities materially different from those authorised by the original permit, the Transport Authority should deal with such applications as if it were an application for a fresh permit. If this rule is applied in this case and if the principles of justice laid down by Government to prevent trade in permits according to G.O.Ms. No.1405 March 1950 are also applied, the extension sought for by the C.P.C. Co., Ltd., resulting in the grant of a new route should have been refused for their having sold vehicles with permits.

10. The memorial to Government from Small Bus operators and the Government Order thereon No.198078/Transport-

I/52-53, dated 9-2-1953, have not at all been considered by the Regional Transport Officer, in this case.

In view of the aforesaid circumstances, the Government may be pleased to cancel the extension granted to Messrs. C.P.C. Co., Ltd., Mangalore, from Karkal to Mangalore and from Someshwar to Coondapoor in Regional Transport Officer's Order, cited 4 above.

I pray that the order of the Regional Transport Officer may kindly be stayed till the Government decides the issue.

Mangalore,)
)
30-8-1954.)

Petitioner.

Enclosures:-

1. Regional Transport Officer's Notification Ref. C.No. 11181/53-A, dated 9-5-1954.
2. Representations of the petitioner dated 25-5-1954 to the Regional Transport Officer South Kanara, Mangalore.
3. My letter dated 30-6-1954, to the Regional Transport Officer, South Kanara, Mangalore.
4. Ref. No.11181/53-A dated 3-8-1954, of the Regional Transport Officer, South Kanara, Mangalore, granting the extension.
5. Chalan No.286 dated 28-8-1954 for Rs.50/- of the Sub-Treasury, Mangalore.
6. Ticket No.29058 dated 31-8-1954 for Rs.3-2-0 by C.P.C.Co.Bus, 9.30 A.M. Mangalore - Karkal - Someshwar - Coondapoor Service - Para 8 above.

Provincial
~~Central~~.

ORIGINAL

(For instructions see reverse.)

Chalan for payment of money into the ~~Huzur Treasury~~ / Sub-Treasury at Mangalore

No. 286

CANCELLED
- 5 SEP 1954

By whom paid and name and address of the person on whose behalf money is paid.	On what account, with authority if any, and head of account.*	Amount.			Monthly consecutive number assigned to the credit in the day-book.	
		Rs.	A.	P.	No.	Month.
A. Mirquetta, Proprietor Mirquetta Motor Service Kankanadi, Mangalore, 1 Date 28-8-1954	Fees for Revision Petition to Government Ref. No. II 781/53-A dated 3-8-54 of the Regional Transport Officer, South Kanara.	50	-	-		
	Total (in words and figures) Rupees fifty only	50	-	-		

Signature of Remitter. A. Mirquetta

Received Rupees

Huzur Treasury
Sub-Treasury
The 19

Entered.

Signature of Treasurer or Shroff.

Signature of English Head Accountant.

Signature of Treasury Officer or Taluk Head Accountant or Sarishtadar.

* Head of account should be filled in by the Departmental Officer or Treasury. [P.T.O.

T. & A. 1 (a).

INSTRUCTIONS.

T. & A. 1 (b).

ಅನುಜ್ಞೆಗಳು.

" The receipt is not valid or binding on the Government unless—

I. In the case of payments in Huzur Treasuries it is signed (1) by the Huzur Treasurer and (2) by the English Head Accountant when the amount is under Rs. 500 and also (3) by the Treasury Deputy Collector when the amount is Rs. 500 or more.

II. And in the case of payment in Sub-Treasuries, (1) by the Shroff and (2) by the Taluk Head Accountant or Taluk Sarishtadar."

III. Receipts for cash or cheques paid for service stamps should be given in M.T.C. Form 5/A (T & A. 85).

" I. ಹಜೂರ್ ಖಜಾನೆಗಳಲ್ಲಿ ಮಾಡಿದ ಪಾವತಿಗಳ ಸಂಗತಿಯಲ್ಲಿ, (1) ಹಜೂರ್ ಟ್ರೀಸರರಿಂದ ಮತ್ತು (2) ಮೊಬಲಗು 500 ರೂಪಾಯಿಗಿಂತ ಕಡಿಮೆಯಿರುವಲ್ಲಿ ಇಂಗ್ಲೀಷ್ ಹೆಡ್ ಅಕೌಂಟೆಂಟಿನಿಂದ ಮತ್ತು (3) ಮೊಬಲಗು 500 ರೂಪಾಯಿ - ಯೂ - ಅದಕ್ಕೆ ಮೀರಿ ಇರುವಲ್ಲಿ ಟ್ರೀಜರಿ ಡಿಪ್ಯೂಟಿ ಕಲೆಕ್ಟರಿಂದ ಸಹ ದಸ್ಕತು ಮಾಡಲ್ಪಟ್ಟರೇನೆ ವಿನಾ,

II. ಸಬ್-ಟ್ರೀಸರಿಗಳಲ್ಲಿ ಮಾಡಿದ ಪಾವತಿಗಳ ಸಂಗತಿಯಲ್ಲಿ (1) ಕರಾಛನಿಂದಲೂ, (2) ತಾಲೂಕು ಹೆಡ್ ಅಕೌಂಟೆಂಟ್ - ಯೂ - ತಾಲೂಕು ಶಿರಸ್ತೆದಾರರಿಂದಲೂ ದಸ್ಕತು ಮಾಡಲ್ಪಟ್ಟರೇನೆ ವಿನಾ,

ಈ ರಸೀದಿಯು ಸಾಧುವಾದುದಾಗಿ - ಯೂ - ಗವರ್ನ್‌ಮೆಂಟಿನವರನ್ನು ಬದ್ಧವಡಿಸುವಂಥದಾಗಿ ಇರುವುದಿಲ್ಲ

III. ಸರ್ವಿಸ್ ಸ್ಟ್ಯಾಂಪ್ಸುಗಳಿಗಾಗಿ ಪಾವತಿಮಾಡಿದ ನಗದು - ಯೂ - ಚೆಕ್ಕುಗಳಬಗ್ಗೆ - ರಸೀದಿಗಳನ್ನು M.T.C. ಫಾರ್ಮು 5-A. (T. - ಪ - A. 85) ರಲ್ಲಿ ಕೊಡತಕ್ಕದ್ದು

9/8/54

PROCEEDINGS OF THE REGIONAL TRANSPORT OFFICER, MANGALORE
Present: Sri M.C. Nambiar, B.A.,

Ref.C.11161/53-A dated 3-8-54

Sub: Motor Vehicles - Stage carriages - C.P.C.Co.,Ltd.,Mangalore Route Mangalore to Someshwar and Coondapur to Karkal - Variation by extension from Someshwar to Coondapur and from Karkal to Mangalore in respect of one bus on each route Application - Allowed.

Ref: 1. Letter Ref.1257/53 dated 2-9-53 of the C.P.C.Co.,Ltd.,
2. Notification Ref.C.11161/53-A dated 9-5-54 under section 57 (3) of Motor Vehicles Act.
3. Letter dated 21-5-54 of the M.C.I.& G.S.Ltd.,Mangalore
4. Letter 524/54-D dated 26-5-54 of the S.V.M.Co.,Ltd.,
5. Letter dated 26-5-54 of Sri A. Misquith,Prop:Misquith Motor Service, Mangalore

M/s. The C.P.C.Co.,Ltd.,Mangalore submitted applications for extension by variation of the routes (1) Coondapur to Karkal via Someshwar and (2) Mangalore to Someshwar via Karkal up to Mangalore and Coondapur respectively. These were notified under section 47 (1) and with the objections received were placed before the Regional Transport Authority, for consideration. The Regional Transport Authority considered the applications and the objections in detail and resolved to recommend the extension to Central Road Traffic Board. These recommendations were duly approved by the Chairman, Central Road Traffic Board.

These applications were notified under section 57 (3) inviting representations. The applicants and the objectors were called on to appear before me on 30-6-54. At the conference the representations made by the objectors before me were:-

1. that if the extensions as applied for were to be allowed their collections might be affected and

2. the applicants have sold four of their vehicles with permits and as such they are not entitled for any new routes and extensions and also,

3. that if the extensions were to be allowed it would result in change of timings so as to suit the conveyance of postal mail. Such a revision of timings will surely affect the existing direct buses.

These objections were met by the applicants as follows:-

1. Even now fairly good number of through passengers from Mangalore to Coondapur and vice versa are travelling in their buses by transhipment at Karkal. The extensions if allowed will only avoid the inconvenience caused by the transhipment.

2. that the applicants have not so far since 40 years of their existence sold even a single permit except the permits referred to by the objectors, which was entirely due to force of circumstances and the interest of the travelling public. The Regional Transport Authority had satisfied itself with their bonafides and also that they had not traded on permits. The Regional Transport Authority was pleased to accord permission for transfer ~~permission for transfer~~.

3. that the existing departure timings at either ends can be continued even after variation, if allowed, and this will suit the the timings for the conveyance of postal mail.

Therefore is traffic need for putting through buses on route Mangalore to Coondapur. A perusal of the old records produced by the applicants shows that this was felt even as far back as 1948 when a joint application by three big operators, viz. C.P.C.Co.,Ltd., Mangalore, K.T.Co.,Ltd.,Udipi and S.V.M.Co.,Ltd.,Mangalore was made requesting opening of the route Mangalore to Coondapur with four buses. It was subsequent to this that the route was opened with two through buses. The collection statements of the applicants show that through passengers from Mangalore to Coondapur are being taken even now by the two buses mentioned above giving connection to each other. The extension as applied for will alleviate the inconveniences now caused to the through passengers by transhipment etc.

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The applicants have transferred some of their permits with the permission accorded by the Regional Transport Authority. This cannot be considered as a reasonable ground for rejecting applications for extension of routes.

The applicants have already stated that no change in departure timings at either ends viz. Mangalore and Coondapur is contemplated.

Under these circumstances, I do not see any reason why the existing operators should be nervous about the grant of extension. I am convinced that the grant of variations will only be in the interest of the travelling public and that no existing operator will be affected by that.

Therefore in exercise of the powers delegated to Regional Transport Officers in G.O.M.S.No.892, Home dated 25-3-53, the variations applied for are ~~granted~~ allowed.

K. C. J. Ammanna
7.8.54
Regional Transport Officer,
South Kanara.

vj/ 6-8

OFFICE OF THE REGIONAL TRANSPORT OFFICER, MANGALORE

Notification Under section 57(3) of Motor Vehicles Act.

Ref.C. 11181/53-A dated 9-5-54

Sub: Motor Vehicles - Stage carriages - MDX 2428 and MDX 1972 - C.P.C.Co.,Ltd., Mangalore - Routes Mangalore to Someshwar & Coondapur to Karkal-Variation by extension from Someshwar to Coondapur and from Karkal to Mangalore in respect of one bus on each route- Application Notified-

Ref: Application Ref. 1257/53 dated 2-9-53 of C.P.C.Co..Ltd.

****

Sri C.P.C.Co.,Ltd.,Mangalore have applied for variation of routes of their Mangalore-Someshwar & Coondapur-Karkal services covered by permits numbers specified against them by extension from Someshwar to Coondapur & from Karkal to Mangalore as mentioned below:-

Permit No.	Existing route	Variation of route applied for as	No.of buses for which variation of route is applied for
96/SK/46	Mangalore to Someshwar via Moodabidri & Karkal	Mangalore to Coondapur via Moodabidir Karkal and Someshwar	One
-do-	Coondapur to Karkal via Someshwar	Coondapur to Mangalore via Someshwar, Karkal & Moodabidri	One

Those who have any representations to make in this connection should do so in writing so as to reach the R.T.Officer, Mangalore on or before 31-5-54 furnishing copies thereof simultaneously to the applicant. Representations received after the above date or the copies of which have not been received after the above date or the copies of which have not been furnished to the applicants simultaneously will not be considered.

The above application and the representations received in connection therewith will be considered by the R.T.O.,Mangalore under the powers delegated to him in G.O.Ms.No. 692 Home dated 28-2-53 at his office on a date to be intimated later.

sd.K.C.Nambiar,
Regional Transport Officer,Mangalore.

/True copy forwarded by order/

Superintendent.

To
Sri C.P.C.Co.,Ltd.,Mangalore.The Notice Board, and All Regd.Operators
Copy to: D.S.P., M.V.Is.mA.M.V.I., S.K., Dt. Magte,S.K. Supdt.of Post Offices Mangalore and A section.

vjd/9-5

L. -do-	5.15 p.m	L. -do-	5.15 p.m
R. Belthangady	7.00 p.m	R. Belthangady	1.25 p.m
		L. -do-	1.30 p.m
		R. B.C.Road	3.00 p.m
		L. -do-	3.15 p.m
		R. Belthangady	5.00 p.m

Those who have any representations to make in connection with the proposed timings should do so in writing so as to reach the Regional Transport Officer, Mangalore on or before 31-5-54 furnishing copies thereof simultaneously to the applicant. Representations received after the above date or the copies of which have not been furnished to the applicants simultaneously will not be considered.

sd. K.C.Nambiar,
Regional Transport Officer, Mangalore.

/True copy forwarded by order/

Superintendent

To
Sri . Thimmappa Shetty, Prop: Shetty Motor Services. Mangalore
The Notice Board., and All Regd. Operators.
Copy to: D.S.P.,C.K., M.V.Is..A.I.V.I..P.K.. Copy to Dt. Magistrate. Chickmagalur and A section..

vjd/ 10-5

Mangalore,
Dated 25th May, 1954.

15

From

A.Misquith,
Proprietor, Misquith Motor Service,
Hampankatta,
Mangalore-1.

To

The Regional Transport Officer,
South Kanara,
Mangalore.

S i r,

Sub:- Buses MDX. 2428 and MDX. 1972 - variation by extension from Someshwar to Coondapur and Karkal to Mangalore to the existing routes Mangalore to Someshwar and Coondapur to Karkal proposed by M/s.C.P.C. Co., Ltd. - objection - submitted.

- Hsanke

With reference to your Notification C.No.11131/53-A dated 9-5-1954, I beg to submit my following objections to the extension of route proposed in respect of the buses mentioned above:

1. (a) Bus MDX. 2428 of C.P.C.Co., Ltd., is authorised to run from Mangalore to Someshwar, a distance of 58 miles. It is now doing 2 single trips on the entire route and a cut trip between Karkal and Moodbidri, in all covering a mileage of 138 miles.

(b) The distance of the sector Someshwar to Coondapur for which the operator has applied for extension is 33 miles. If this bus is allowed to run direct from Mangalore to Coondapur, the total mileage for one single trip is 90 miles. By granting the proposed extension, the public on the existing route would be deprived of the transport facilities of one trip on the entire route.

(c) The existing route, while being granted to the Company more than 10 years back, they were running the service on the route all these years without asking for any extension. Now that my service and also that of West Coast Commercial Syndicate, Ltd., Mangalore have introduced to run one single trip on alternative days on the entire route, M/s. C.P.C.Co., Ltd., have come forward with a request to extend their service from Someshwar to Coondapur with a view to create unhealthy competition and thus put these services to serious losses and drive us out from the transport field.

2. Similarly, Bus MDX. 1972 is now running between Coondapur and Karkal, a distance of 57 miles. It is now doing 114 miles per day by one round trip on its existing route. If the extension from Karkal to Mangalore is granted the bus will not be able to run the existing two single trips on its existing route, whereby the public would be deprived of the existing transport facilities much needed by them. The purpose behind this proposal is with the same motive described

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in para 1 (c) above.

3. Messrs. C.P.C.Co., Ltd., are the largest fleet owners of this district running many remunerative services on monopolistic basis on all routes. There is no reason why such an operator should be granted an extension of route, especially by curtailing the existing transport facilities to the detrimental interest of the travelling public.

4. The general principle is to allow a bus to perform a round trip so as to enable it to return to its destination. When the above two buses are enjoying such facilities at present, there is also no reason why they should be allowed extension to perform one single trip a day and halt at two separate places on different routes.

5. The sector from Karkal to Mangalore proposed for extension for Bus MDX. 1972 is a main route, covering a distance of 33 miles. This sector is served by more than 24 buses, apart from one exclusive service run on the route by Messrs. Hanuman Transport Co., Ltd.

(b) As regards the sector Coondapur to Someshwar proposed for extension to Bus MDX. 2428, it is also a main route extending 32 miles and served by about 6 buses.

If at all there is traffic need, M/s. Hanuman Transport Co., Ltd., would have applied for extra cut trips. My bus MDX. 1842 and Bus MDX. 1967 of West Coast Transport, Ltd., were running a cut trip from Mangalore to Karkal and backward from Coondapur to Someshwar and back, but for want of traffic these cut trips were stopped. In the absence of demand for more trips on the existing sectors from any of the existing operators, it is clear that there is no adequate traffic to extend any bus beyond sectors now authorised to them.

6. The Regional Transport Authority, South Kanara, in regard to several proposals for new routes and additional buses on the routes, have rejected such proposals due to inadequate traffic, as per references given below:

(i) proposal for new routes and additional buses from Coondapur to Someshwar rejected at their meeting held on 15-7-1953. Item No.VII of proceedings.

(ii) proposal for a route from Coondapur to Ujre rejected at their meeting held on 15-8-1953. Item No.VIII.

(III) Proposal for route Udyavar to Someshwar via Karkal rejected at their meeting held on 15-7-1953. Item No.VIII.

(iv) Proposal for route Karkal to Coondapur via Someshwar rejected at their meeting held on 3-10-1953. Item No.VII.

(v) Proposal for opening of route from Udyavar to Someshwar via Karkal, rejected at their meeting held on 29-5-1953. Item No.XXIV.

(vi) Proposal for route from Kaup to Someshwar via Karkal, rejected at their meeting held on 29-5-1953.

The above decisions of the Regional Transport Authority, South Kanara, are conclusive proofs that there is no traffic for more buses in the proposed sectors. So, as regards consideration over such extensions, I beg to invite your kind attention to G.O. Ms.No. 1057 dated 28th March, 1953 of the Government of Madras (Home Department).

7. In this connection, I also beg to draw your specific attention to the fact that M/s. C.P.C.Co., Ltd., Mangalore, have sold their permits to others by which it is evident that they have now begun to trade in permits with profit motive and not efficient to serve the public by maintaining services. In Item No.X of Proceedings of the Regional Transport Authority, South Kanara, of their meeting held on 21-4-1954, the transfer of three permits by the Company though allowed, the inefficiency of the operators as well as introducing new entrants into the field cannot be denied.

8. In view of the facts stated above, the extensions proposed for both the buses is not desirable nor to be encouraged inasmuch as it is not intended to serve public interests but in the operator's own interest to compete with the new operators plying services on the proposed sectors and thereby cause serious losses to them and drive them from the transport field.

9. The applicant sold permits as stated above, do not deserve to be encouraged with the grant of any further permits, variation or extension of routes as there might be also the intention to sell these permits for better offers on availing the extension.

10. Having due regard to the above submissions, the application for extension of routes proposed above may be rejected.

Yours faithfully,

(Sd.) A.Misquith,

26-5-54.

Copy sent to:-

M/s. The Canara Public Conveyance Co., Ltd.,
Mangalore.

(True Copy.)

Misquith

From

A.Misquith,
Proprietor, Misquith Motor Service,
Hampankatta,
Mangalore.

30th June, 1954.

To

The Regional Transport Officer,
South Kanara,
Mangalore.

S i r, -

Ref:- Notification C.No.11181/53-A,
dated 9-5-1954.

The following points may be kindly considered in regard to the extension of routes proposed for Buses MDX. 753 and MDX.1972 of Messrs. C.P.C.Co., Ltd., Mangalore, which is placed for consideration at the meeting of the Regional Transport Officer, Mangalore, to be held on 30-6-1954 at 3 P.M.

1. That there is no direct traffic warranting extensions. Existing needs of direct passengers is served more than adequately by the two direct buses of mine and Messrs. West Coast Transport, plying on the route Mangalore to Coondapur.

2. That the company has recently sold four vehicles with permits to others, which definitely amounts to business in permits. Having such motive they are not entitled for any new routes or extensions.

3. That grant of extension of route is grant of new route, because in result the old route is eliminated and a new route with a different terminus comes into existence. That is why the procedure followed for the new routes are observed for extension also.

4. That in view of the facts above stated the applicants have no rights for any new routes or extensions.

5. That the applicants plea that the extension would facilitate carrying postal mail is false and without proper grounds. Firstly, their existing timings cannot suit carrying postal mails. Secondly, the company has large number of buses with a chain of arrangements and so postal mail can be carried even without extension by exchanging the bags with their two buses, as they are doing on Mangalore- Udipi coastal route.

6. That by granting the extension there will be curtailment of transport facilities between Moodabidri and Someshwar of two trips, to the detrimental interests of the travelling public.

7. That the motive behind the application is to create wasteful competition with the two direct services of mine and that of M/s. West Coast Transport and hit at their traffic and put them to serious loss and drive them from the Transport field.

8. That I invite your specific attention to G.O.Ms.No. 1037 dated 28th March, 1953, of the Government of Madras, Home Dept., which restricts additional services on existing routes unless there is clean need and that wasteful competition

should be discouraged.

I therefore pray that the application for the proposed extensions may be summarily rejected.

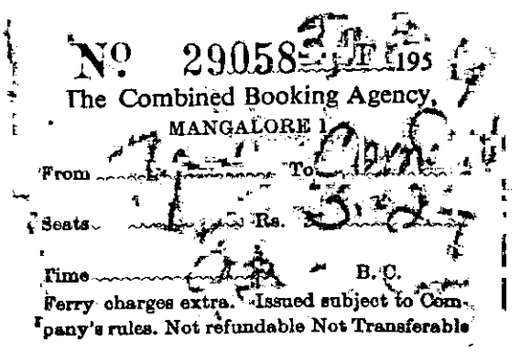
Yours faithfully,
FOR MISQUITH MOTOR SERVICE,

(Sd.) A. Misquith,

PROPRIETOR.

(True Copy.)

Misquith



No. 29058 F 195

The Combined Booking Agency,

MANGALORE

From ... To ...

Seats ... Rs. ...

Time ... B. C.

Ferry charges extra. Issued subject to Company's rules. Not refundable Not Transferable

BEFORE THE SECRETARY TO GOVERNMENT,HOME DEPARTMENT,

GOVERNMENT OF MADRAS

FORT ST.GEORGE,MADRAS-9

From:-

West Coast Industrial & Commercial Syndicate Ltd.,
Balmatta,
MANGALORE-1 (South Kanara)

S I R,

Sub: Motor vehicles-Stage carriage-Route-Mangalore to Someshwar, and Coondapur to Karkal-Variation granted by extension from Someshwar to Coondapur and Karkal to Mangalore. Revision petition under Section 64 A of the M.V.Act.

=========:o:=======

F.1-11-1265

Ref: (1) Ref.No.11181/53-A, dated 3-8-1954, of the Regional Transport Officer, South Kanara,Mangalore.

(2) Representations of the petitioner dated 21-5-1954 to the Regional Transpor Officer,South Kanara,Mangalore.

========

We beg to prefer this revision petition agains the orders of the Regional Transport Officer, South Kanara, Mangalore, in Ref.C.No.11181-53-A, dated 3-8-1954, on the following among other grounds :-

GROUNDS OF REVISION

1. That the orders of the Regional Transport Officer is contrary to law, weight of evidence and probabilitie of the case and therefore is unsustainable.

2. The Regional Transport Officer should have considered all the aspects of the case before passing final orders.

3. The Regional Transport Officer ought to have held that the extension sought for, covers an altogether different route. He should have,therefore, refused the extension consistant with the several prior decisions of the

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Regional Transport Authority on similar subjects explained in our representations.

(4) The finding of the Regional Transport Officer that there is traffic need for putting through buses, on Mangalore-Coondapur route is contrary to the recent decision of the Regional Transport Authority, South Kanara, held on 31-1-1954 at 11-00 A.M. at the Collector's Office, Mangalore, Item No.V "To consider the proposal for the introduction of Express bus service on route Mangalore to Coondapur via Moodabidri-Karkal-Someshwar and Koteshwar and to fix the maximum number of express services on route in case the proposal is considered necessary R.No. 6953/54-A". Decision of the Regional Transport Authority " NOT RECOMMENDED" Sd/ A.Mahalingam Chettiar-Chairman.

5. The Regional Transport Officer has failed to understand that the necessity or otherwise for direct services has to be considered with reference to the existing state of affairs and not to that which existed in 1948. The Regional Transport Officer's consideration and grant of the extension with due reference to old records of 1948 is, therefore, contrary to law.

6. Though there was a proposal to introduce four buses on this route in 1948, the position has changed altogether since then by the coming in of several buses. In 1950 two direct buses were introduced to serve the needs of the direct passengers.

(i) One bus between Mangalore-Moodabidri;

(ii) One bus from Coondapur to Ujre via Someshwar-Karkal and Moodabidri.

(iii) One bus from Udipi to Dharmastal via Karkal and Moodabidri,

(iv) One bus from Coondapur to Balebare via Halady were all introduced.

All these serve the travelling needs of the public on the Mangalore to Coondapur route. Besides several cut trips have bee granted to many buses between Karkal- Moodabidri and Karkal-Someshwar sectors. Two town buses were also recently introduced between Karkal and Muniyal which forms a sector of Mangalore-Coondapur route. Thus the route is amply served now indeed. The cut trips performed by our bus MDX 1967 and Messrs. Misquith Motor Service MDX 1842 on Coondapur-Someshwar sector were discontinued due to there being no traffic. So the traffic position as at present is not as it was 1948. We may also say that the proposal mentioned above was merely a proposal. The transport department had not investigated or assessed the volume of traffic at that time to give any consideration now to claims based on such applications is highly irregular.

7. The Regional Transport Officer has failed to take into consideration that present state of affairs and has based his decision on the representations of the big fleet owners made as far back as 1948, with copies of petitions behind the back of the petitioner and no chance was given to the petitioner to refute these petitions.

8. The Regional Transport Officer has failed to call for the collection statements of the operators on Mangalore to Coondapur to assess the volume of traffic on the two direct buses granted to new operators in 1950.

9. The observation of the Regional Transport Officer that the collection statement of M/s Canara Public Conveyance

Co.,Ltd., Mangalore, shows that though passengers from Mangalore to Coondapur are being taken even now by two buses cannot have much force. The practice of issuing throughtickets from one end of a long route to the other with two or four buses connecting each other is a routine in this district. To quote an instance, direct tickets are issued from Mangalore to Subramanya, Mangalore to Baindur and Udipi to Ujre, Udipi to Belthangady etc., Even though there are no direct buses. The passengers are transhipped from one bus to another. So the collection statements of the C.P.C. Co.,Ltd., is not a ground on which the neceessity for further direct services has to be decided. There will always be some percentage of through travellers and there are two direct buses to serve them.

10. No inconvenience whatsoever is caused in the transhpment of Mangalore-Coondapur passengers at Karkal because invariably almost all passengers get down at Karkal stand for refreshments. Even all direct passengers travelling in bus also get down at Karkal stand for refreshments. No passengers would like to travel a long distance of 90 miles without getting down from the bus for refreshment at Karkal. The non receipt of any complaint from the public about the so called inconvenience in transhipment from one bus to the other of the C.P.C.Co.,Ltd., from time immemorial is in itself a proof that there is no inconvenience to the direct travelling public till now. Therefore, the reasoning of the Regional Transport Officer in granting extensions to alleivate the so called the inconvenience is unfounded.

11. The Regional Transport Officer's finding that transfer of permits made by the C.P.C. is not a ground

for rejecting applications for extensions is not legal. If extensions forming new routes are granted to those trading in permits there will be no distinction between one who obtains permits by legal procedure and whe who gets by transfer for the money value paid. The reasoning by the Regional Transport Officer is contrary to law and natural justice.

12. Out of the four buses with permits sold by C.P.C. Co.,Ltd., three buses were running on a portion of the sector of Mangalore-Coondapur route.

13. The reasoning that C.P.C.Co.,Ltd., will adopt their existing timings even after extension is also not correct. The company has no services from Karkal to Mangalore scheduled to reach Mangalore between 10-30 A.M. and 12-00 noon. From the timings now granted to the company after extensions, it is noticed that their bus leaving Coondapur reaches Mangalore at 11-30 A.M. It is, therefore, not currect that the will be no change in the existing timings. The Regional Transport Officer has observed that the existing operators will het be effected by the extension which is not based on actual facts. The extensions granted grossly affects our service leaving Coondapur at 8-00 A.M. and reaching Mangalore at 2-00 P.M. The C.P.C.Co.,Ltd., bus is scheduled to run only two hours in advance of our bus on the entire route. We are, therefore, put to heavy loss for no meterial benefit to the passengers.

14. The timings now granted is not suitable for conveyance of postal mail for which the extension was considered necessary. The extension is, therefore, asked and granted for the sole intention to creat unhealthy competition

and to drive away the two new operators. The extension is not in public interests but only in operators interest and is, therefore, unwarranted. No public has ever represented the necessity for the extension granted.

15. The C.P.C.Co.,Ltd., is carrying mail from Mangalore to Coondapur and delivers it between 12 and 1 P.M. according to their ~~ago~~ agreement and long practice. If they are to carry mail by the present extension the mail can be delivered at Coondapur only at 3-00 P.M. and not earlier than before. Two hours delay in delivery should be considered a very serious matter now a days. So the extension is not for postal conveyance. According to the printed memorial of the merchant class at Coondapur they desire postal mail to reach them before 12-00 noon and return the same day.

16. The Regional Transport Officer has failed to consider the aspects that the extension would result in curtailment of existing transport services between Moodabidri and Someshwar a distance of 35 miles by two single trips per day which is a great disadvantage to the intermediate station passengers. The extension of route granted by the Regional Transport Officer does not, therefore, satisfy the requirements of Article 19 (6) of the Constitution as the extension is not in the interest of the public. The need for the extension of service should have been considered only in public interest and not in operators interest.

17. The Regional Transport Officer failed to consider the representations made by us that the C.P.C.Co.,Ltd., which is the biggest transport concern in this district with a network of services are creating unhealthy competition with

the small bus operators by collecting lesser fares from passengers on all routes operated by the small bus operators.

18. The fare from Mangalore to Coondapur by our bus and that of Misquith Motor Service is Rs. 3-7-0. Whereas C.P.C. Co.,Ltd., is charing Rs. 3-2-0 per passenger. The extension if granted would help the operator to intensify their method of unhealthy competition by collecting lesser fares and pooling all the intending passengers of the small bus service owners like us and Misquith Motor Service on this long route from Mangalore to Coondapur. The extension granted by the Regional Transport Officer is, therefore, quite contrary to the provisions of Section 47(1) (c) of M.V.Act. It has, therefore, to be set aside.

19. The grant of extensions of route made by Regional Transport Officer is also against the principles laid down in G.O.Ms. 1037 dated 28-3-1953.

20. Under Rule 208(b) of the M.V.Rules if the application is for the variation of a permit and the grant of variation would authorise transport facilities meterially different from these authorised by the original permit, the Transport Authority should deal with such applications as if it were an application for a fresh permit. If this rule is applied in this case and if the principles of justice laid down by Government to prevent trade in permits according to G.O.Ms. No.1405 March 1950 are also applied, the extension sought for by the C.P.C.Co.,Ltd., resulting in the grant of a new route should have been refused for their having sold vehicles with

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permits.

21. The memorial to Government from small bus owners and the Government order thereon No.198078/ Transport/ 52-53, dated 9-2-1953, have not all been considered by the Regional Transport Officer in this case.

22. In view of the aforesaid circumstances, the Government may be pleased to cancel the extension granted to C.P.C.Co.,Ltd., from Karkal to Mangalore and Someshwar to Coondapur in Regional Transport Officer's order cited above.

23. We pray that the order of the Regional Transport Officer may be kindly stayed till the Government decides the issue.

Yours faithfully,
for THE WEST COAST ... COMMERCIAL SYNDICATE LTD.
Ananda Shetty
Chairman.
REVISION PETITIONER.

MANGALORE)
)
28th AUGUST,1954)

Encl: Chalan No. 350 dated 30-8-54 for Rs. 50/-.
2. Proceedings of the Regional Transport Officer,South Kanara,Mangalore Ref. No.C. 11181/53-A dated 3-8-1954
3. Six copies of Revision petition.

Provincial.
Central

ORIGINAL

31

(For instructions see reverse.)

Challan for payment of money into the ~~Huzur Treasury~~ Sub-Treasury at Mangalore

P

No. 330

By whom paid and name and address of the person on whose behalf money is paid:	On what account, with authority if any and head of account.*	Amount. Rs.	A.	P.	Monthly consecutive number assigned to the credit in the day-book. No.	Month.
	Fee for Revision Petition against R.T.O's Proceedings Ref no: 1118/53-A-RT3/P/54 Before the Secretary to Government Home Department	50	-	-		
	Total (in words and figures) Rupees	50	-	-		

Rupees fifty only

SECRETARY TO GOVERNMENT
2 SEP 1954
MANGALORE-1.

Date 30th August 1954.

Received Rupees

Entered.

Signature of Treasurer.

Signature of English Head Accountant.

Signature of Treasury Officer.
Taluk Head Accountant or Sarishtadar.

CANCELLED

Head of account should be filled in by the Departmental Officer or Treasury.* [P.T.O.

T. & A. 1 (a).

INSTRUCTIONS.

T. & A. 1 (b).

ಅನುಜ್ಞೆಗಳು

"The receipt is not valid or binding on the Government unless-

I. In the case of payments in Huzur Treasuries it is signed (1) by the Huzur Treasurer and (2) by the English Head Accountant when the amount is under Rs. 500 and also (3) by the Treasury Deputy Collector when the amount is Rs. 500 or more.

II. And in the case of payment in Sub-Treasuries, (1) by the Shroff and (2) by the Taluk Head Accountant or Taluk Sarishtadar."

III. Receipts for cash or cheques paid for service stamps should be given in M.T.C. Form 5/A (T. & A. 85).

"I. ಹಜೂರ್ ಖಜಾನೆಗಳಲ್ಲಿ ಮಾಡಿದ ಪಾವತಿಗಳ ಸಂಗತಿಯಲ್ಲಿ, (1) ಹಜೂರ್ ಟ್ರೆಜರರಿಂದ ಮತ್ತು (2) ಮೊಬಲಗು 500 ರೂಪಾಯಿಗಿಂತ ಕಡಿಮೆಯಿರುವಲ್ಲಿ ಇಂಗ್ಲಿಷ್ ಹೆಡ್ ಅಕೌಂಟೆಂಟರಿಂದ ಮತ್ತು (3) ಮೊಬಲಗು 500 ರೂಪಾಯಿ - ಯೂ - ಅದಕ್ಕೆ ಮೀರಿ ಇರುವಲ್ಲಿ ಟ್ರೆಜರಿ ಡಿಪ್ಯೂಟಿ ಕಲೆಕ್ಟರಿಂದ ಸಹ ದಸ್ಕತು ಮಾಡಲ್ಪಟ್ಟಿರಬೇಕು ವಿನಾ,

II. ಸಬ್-ಟ್ರೆಜರಿಗಳಲ್ಲಿ ಮಾಡಿದ ಪಾವತಿಗಳ ಸಂಗತಿಯಲ್ಲಿ (1) ಕಾರ್ಭಾರಿನಿಂದಲೂ, (2) ತಾಲೂಕು ಹೆಡ್ ಅಕೌಂಟೆಂಟ್ - ಯೂ - ತಾಲೂಕು ಶಿರಸ್ತೆದಾರರಿಂದಲೂ ದಸ್ಕತು ಮಾಡಲ್ಪಟ್ಟಿರಬೇಕು ವಿನಾ,

ಈ ರಸೀದಿಯು ಸಾಧುವಾದುದಾಗಿ - ಯೂ - ಗವರ್ನ್‌ಮೆಂಟಿನವರನ್ನು ಬದ್ಧವಡಿಸುವಂಥದಾಗಿ ಇರುವುದಿಲ್ಲ.

III. ಸರ್ವಿಸ್ ನಿಮಿತ್ತವಾಗಿ ಪಾವತಿಮಾಡಿದ ನಗದು - ಯೂ - ಚೆಕ್ಕುಗಳಬಗ್ಗೆ ರಸೀದಿಗಳನ್ನು M.T.C. ಫಾರ್ಮ್ 5-A. (T. ಅಂಡ್ - A. 85) ರಲ್ಲಿ ಕೊಡತಕ್ಕದ್ದು.

PROCEEDINGS OF THE REGIONAL TRANSPORT OFFICER, MANGALORE

Present: Sri K.C. Nambiar,B.A.,

Ref.C.11181/55-A dated 3-8-54

Sub: Motor Vehicles - Stage carriages - C.P.C.Co.,Ltd.,Mangalore Route Mangalore to Someshwar and Coondapur to Karkal - Variation by extension from Someshwar to Coondapur and from Karkal to Mangalore in respect of one bus on each route Application - Allowed.

Ref: 1. Letter Ref.1257/53 dated 2-9-53 of the C.P.C.Co.,Ltd.,
2. Notification Ref.C.11181/55-A dated 9-5-54 under section 57 (3) of Motor Vehicles Act.
3. Letter dated 21-5-54 of the M.C.I.& C.S.Ltd.,Mangalore
4. Letter 594/54-D dated 26-5-54 of the S.V.M.Co.,Ltd.,
5. Letter dated 26-5-54 of Sri A. Misquith,Prop:Misquith Motor Service, Mangalore

M/s. The C.P.C.Co.,Ltd.,Mangalore submitted applications for extension by variation of the routes (1) Coondapur to Karkal via Someshwar and (2) Mangalore to Someshwar via Karkal up to Mangalore and Coondapur respectively. These were notified under section 47 (1) and with the objections received were placed before the Regional Transport Authority, for consideration. The Regional Transport Authority considered the applications and the objections in detail and resolved to recommend the extension to Central Road Traffic Board. These recommendations were duly approved by the Chairman, Central Road Traffic Board.

These applications were notified under section 57 (3) inviting representations. The applicants and the objectors were called on to appear before me on 30-6-54. At the conference the representations made by the objectors before me were:-

1. that if the extensions as applied for were to be allowed their collections might be affected and

2. the applicants have sold four of their vehicles with permits and as such they are not entitled for any new routes and extensions and also.

3. that if the extensions were to be allowed it would result in change of timings so as to suit the conveyance of postal mail. Such a revision of timings will surely affect the existing direct buses.

These objections were met by the applicants as follows:-

1. Even now fairly good number of through passengers from Mangalore to Coondapur and vice versa are travelling in their buses by transhipment at Karkal. The extensions if allowed will only avoid the inconvenience caused by the transhipment.

2. that the applicants have not so far since 40 years of their existence sold even a single permit except the permits referred to by the objectors, which was entirely due to force of circumstances and the interest of the travelling public. The Regional Transport Authority had satisfied itself with their bonafides and also that they had not traded on permits. The Regional Transport Authority was pleased to accord permission for transfer permission for transfer.

3. that the existing departure timings at either ends can be continued even after variation, if allowed, and this will suit the timings for the conveyance of postal mail.

Therefor is traffic need for putting through buses on route Mangalore to Coondapur. A perusal of the old records produced by the applicants shows that this was felt even as far back as 1948 when a joint application by three big operators, viz. C.P.C.Co.,Ltd., Mangalore, M.T.Co.,Ltd.,Udipi and S.V.M.Co.,Ltd.,Mangalore was made requesting opening of the route Mangalore to Coondapur with four buses. It was subsequent to this that the route was opened with two through buses. The collection statements of the applicants show that through passengers from Mangalore to Coondapur are being taken even now by the two buses mentioned above giving connection to each other. The extension as applied for will alleviate the inconveniences now caused to the through passengers by transhipment etc.

The applicants have transferred some of their permits with the permission accorded by the Regional Transport Authority. This cannot be considered as a reasonable ground for rejecting applications for extension of routes.

The applicants have already stated that no change in departure timings at either ends viz. Mangalore and Coondapur is contemplated.

Under these circumstances, I do not see any reason why the existing operators should be nervous about the grant of extension. I am convinced that the grant of variations will only be in the interest of the travelling public and that no existing operator will be affected by that.

Therefore in exercise of the powers delegated to Regional Transport Officers in G.O.Ms.No.892, Home dated 28-2-53, the variations applied for are ~~granted~~ allowed.

K. L. Ullal
7-8-54

Regional Transport Officer,
South Kanara.

vjd/

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(C.No. 116960 (Tr.II/54)

1,002—1-4-54.

Done in Tech Br 7.9.54

HOME (TRANSPORT II) DEPARTMENT.

Memorandum No. 116960 **Tr.II/54 -1** **dated** 7 9 **1954.**

Motor vehicles—Stage carriages/~~goods vehicles~~—Regional Transport Authority, S. Kanara Routes Mangalore to Someshwar and Coondapur to Karkal - Extensions granted by R.T.O. -

Revision petitions to Government.

===

Ref: (1) Revision petition d/20;8.54 from Sri Misquith Motor Service

(2) ~~Ref~~—Revision petition, dated 28.8.54 from M/s West Coast Industrial & Commerial Syndicate Ltd.

A copy (each) of the petitions cited is referred to the Secretary, Central Road Traffic Board, for parawar remarks which should be submitted with the connected records, ~~a copy of the history sheet of the petitioner and the respondent~~, a rough sketch map of the route and the connected routes, and a statement showing the number of buses plying on the sectors, not later than. 22-9-54

2. A copy (each) of the petitions cited is enclosed. ~~Sri~~/Messrs. C.P.C. Co. Ltd, should submit ~~his~~/their representations, if any, against the petition, before 22.9.54 failing which it will be presumed that ~~he~~/they ~~has~~/have no representations to make and orders will be passed accordingly.

3. Pending disposal of the revision petitions cited, the Govt. see no reason to stay the operation of the order of the R.T.O., S.Kanara in his proceedings No.C.11181/53-A dated 3-8-54, granting variations of the routes (1) Coondapur to Karkal via Someshwar and (2) Mangalore to Someshwar via Karkal upto Mangalore and Coondapur respectively, in respect of one bus each on the above routes, of M/s The C.P.C.Co.Ltd. Mangalore.

4.9.54 GW 4 Sept 54

To the Secretary, Central Road Traffic Board, Madras-8
" Regional Transport Officer, Mangalore } with a copy of pp. 1-8 & 23-30 c.f.
" M/s C.P.C. Co; Ltd., Mangalore (Paras 2-3 only) with a copy of pp. 1-8 & 23-30 c.f. by Regd Post

~~Sri/Messrs.~~ Misquith Motor Service, Hampankatta, Mangalore-1
M/s West Coast Industrial & Commerical Syndicate Ltd., Balmatta, Mangalor
(Para 3 only ~~with a copy of pp~~ ~~of by registered post~~/under certificate of posting.)

Note: This is a case of revision petitions from Misquith Motor Service and another against the grant of variation by the R.T.O., S. Kanara of the routes Mangalore to Someshwar and Coondapur to Karkal. The petitions are in time and the prescribed fee of Rs.50/= has been paid in respect of each of the petitions. Both the petrs. have requested that the operation of the R.T.O's orders should be stay till the disposal of the revision petitions.

1/36

2. According to the present policy re. grant of stay, ~~it~~ stay is not granted in ~~such~~ cases ~~where~~ of variation of routes ~~can~~ since such variation ~~be granted, as it~~ provides addl. transport facilities to the public. Granting stay will deprive the public of the addl. transport facilities given to them, and this will be against the public interest. The petrs. have not stated how the present grant of extensions of routes are not in the public interest. The stay asked for may therefore be refused, and the case examined in normal course. Subject to orders, draft memo. subd. is for consideration.

May be circulated to M(R.E. & T.) for approval.

4.9.54 4/9/54

Though both the Petitioners have stated that there is curtailment of the existing facilities the R.T.O. has granted the variation, according to him, in the public interest. In any event, it appears doubtful; to what extent we can rely on the averments of the Petitioners and not follow the usual policy, which is not to grant 'Stay' Hence Stay may be refused and the Case may be examined in the normal Course. The Draft may issue

J. Subbaraman
4 Sep 54.

DEPUTY SECRETARY TO GOVERNMENT
6-SEP 1954
HOME DEPARTMENT

M. (R E & T) R Saravanaswaran.
5/9/54

T.O.)

Boy Regd Post Dckdee

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Telegram : "ENTERPRISE" MANGALORE.

Telephone : Kodialbail Workshops, General Manager's Office, Managing Director's Office } 55

Telephone: Managing Director's Residence 161, Lorry Office & Bus Garage 141, Hampankatta Office 198

THE CANARA PUBLIC CONVEYANCE CO., LTD.,

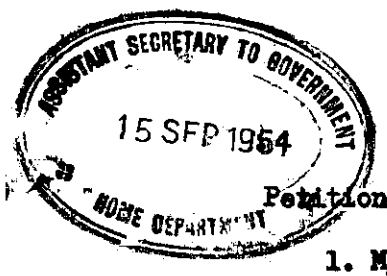
BANKERS:
Canara Bank, Ltd.
The Canara Banking Corporation, Ltd.
The Canara Industrial & Banking Syndicate, Ltd.

POST BOX NO. 85.
MANGALORE 3, S. K.

Ref. 122093

11th September 195 4

BEFORE THE SECRETARY
TO
HOME DEPARTMENT
GOVERNMENT OF MADRAS
FORT ST. GEORGE
MADRAS 9.



Petitioners:-

1. M/S The West Coast Industrial and Commercial Syndicate Ltd. Balmatta.

2. Sri A. Misquith, Proprietor Misquith Motor Service Mangalore.

Counter Petitioners: The Canara Public Conveyance Co. Ltd. Mangalore.

REFERENCE:- Your memorandum No. 116960 TR II/54-1 dated 7th September 1954.

Sub: Motor Vehicles - Stage Carriages - Routes Mangalore to Coondapur - Revision Petitions to Government by Messrs The West Coast Industrial and Commercial Syndicate Ltd. and Sri A. Misquith, Proprietor Misquith Motor Service Mangalore.

That the counterpetitioners beg to submit their representations as follows:-

That the Counterpetitioners had on 26-6-1954 submitted a detailed representation to the Regional Transport Officer in reply to the various points raised by these petitioners in their objection petition filed by them against the grant of the above interchange of routes from one bus to the other. A copy of the above representation is submitted herewith for ready reference..

2. Regarding the contention of the petitioners that we have been granted extension we beg to submit that in reality it is not an extension of routes but an interchange of routes, granted to us which would be clear from the following facts.

3. That until the order for direct services were granted to us we were running the following two routes by the respective buses shown:-

MDX 2428 Mangalore-Karkal-Someshwar & back
MDX 1972 Coondapoor-Someshwar-Karkal & back

Service Now granted is

MDX 2428 Mangalore-Karkal-Someshwar-Coondapoor
MDX 1972 Coondapoor-Someshwar-Karkal-Mangalore
to & fro trips on alternate days for each vehicle.

Contd.

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From the above you will see that there has been no extension of services, but only a rationalisation of existing services giving greater convenience to passengers, enabling them to proceed from Mangalore to Coondapoor without changing buses as they had to do formerly.

4. That therefore the contention of the revision petitioners cited in Para 3 of their petition that these extensions cover an altogether different route is incorrect and highly misleading.

5. With reference to paras 4, 5, 6 and 7 contained in the revision petition of M/S West Coast Industrial and Commercial Syndicate and Paras 1 and 2 contained in the revision petition of Sri A. Misquith, stating that there is not sufficient traffic on the said line for the existing services and that the findings of the Regional Transport Officer, that there is traffic need for putting through buses on Mangalore-Coondapur route is contrary to the recent decision of the Regional Transport Authority, South Kanara held on 31-1-54 the counterpetitioners beg to submit as follows:-

a) That the revision petitioners are aware that no fresh route has been issued and no status quo as to the number of buses on the said route is altered and still they are trying to build up a case for themselves by twisting the facts.

b) That the revision petitioners' contention that the traffic position now is not the same as it was in 1948 contradicts their own previous claims and the existing facts; Firstly both the petitioners did apply for double service on the same route and were rejected because the Government could not permit 180 miles of service per vehicle. Secondly it is a well known fact that traffic today is much more than what it was in 1948 and that is the very basis on which so many new services have been granted in this district as well as elsewhere. Thirdly the question of traffic intensity does not arise as no additional service has been granted. Fourthly the petitioners have been overloading their buses and the Regional Transport Officer had occassion to suspend the services of the Revision petitioners more than once.

Though these overloadings are a daily occurrence it is strange that they should now rush to establish a case that there is no necessity for additional services, though such a question did not arise at all in our case where it was merely a matter of rationalising existing services for the benefit of the travelling public.

6. With reference to paras 7 and 8 (W.C.I & S.Ltd.) of the Revision Petitioners stating that the Regional Transport Officer has based his decision on the representation of the big fleet owners made as far back as 1948 with copies of petitions behind the back of the Petitioners and no chance was given to the petitioners to, refute these points, we beg to submit that the Regional Transport Officer, had more than once called a conference by inviting the Revision petitioners and the representations of the counterpetitioners and the objections of the petitioner were heard in person and the Regional Transport Officer had to decide on the force of the facts and public policy, which even now, it will be found the Revision petitioners cannot refute.. It is, therefore, very strange to say that everything was done behind their back.

That it is submitted that the Transport Commissioner during his visit to South Kanara in the month of April 1954 had issued a notice No.11181/A/53 dated 12-4-1954 asking the counterpetitioners to meet the Transport Commissioner at the Kadri Travellers Bungalow on 13-4-1954 at 3 P.M. with

Contd. 53

statistics to convince the Transport Commissioner that there is adequate through traffic to justify the through running services mentioned above and in accordance with the above notice, the counterpetitioners had seen him with the gatepasses, challans and all traffic records of these two buses to show the number of direct passengers travelling by these buses to Coondapur and vice versa. The Transport Commissioner after minutely examining every days traffic figures of these buses and after having satisfied himself that these rearrangements are not in reality extensions but only interchange of routes to facilitate convenience to the travelling public were approved by him.

7. With reference to Para 4 (West Coast Industrial Syndicate Ltd.) saying that no inconvenience is caused to the passengers by transhipment and that there is no complaint from the public against the break of journey, we wish to submit that this clearly shows that the Revision Petitioners are aware of the inconvenience to passengers which they wish to perpetuate for their personal gains. No person with some consideration for the travelling public can consider that a transhipment with attendant waitings and delays is not an inconvenience. Complaints have been made to us about this orally and in writing by several persons and the most prominent representation has been from the responsible body of Coondapoor Merchants Association. Naturally these complaints could only come to us and not the Revision Petitioners will also be apparent from the Revision Petitioners contention in this para that we had an interrupted through service and the change made is only the removal of the serious inconvenience of the passengers booked as through traffic.

Further we are the major mail contractors in the district and convey mails from Mangalore to Coondapur via Udipi crossing two rivers. The Coondapur Merchants Association wanted these mails to be carried via Someshwar on which route there are no rivers to cross, to see that the mails posted at Coondapur in the morning which are intended for Bombay reach the same evening at Bombay and delivered at Bombay the same night. Without altering the timings it was possible to do so if direct buses are run and on account of grant of above extensions, our bus which leaves Coondapur at 6 A.M. can carry mails from Coondapur to Mangalore which arrives Mangalore at 11 A.M. and these mails could be sent to Bombay by Air which leaves Mangalore Aerodrome at 2.45 P.M. The Postal Authorities have already written to us that they propose to introduce the direct mail bags from Mangalore to Coondapur and vice versa by the above route within the next few days.

The Postal Department is not willing to give this contract to the Revision petitioners as they have no spare buses with them to entrust this work safely.

8. The Revision Petitioners have stated that the petitioners were trading in permits. The word trading in Permits used by the Revision petitioners is incorrect and baseless.

Though this Company being one of the oldest companies of this district having started Transport services as far back as 1914, it has not so far since 40 years of its existence sold even a single permit except the Permit referred to by the Revision petitioners which was entirely due to force of circumstances and in the interest of the travelling public. The Regional Transport Authority after enquiry was fully convinced with our bonafides that we have not traded on permits and therefore they had accorded permission for the said transfer. The Revision petitioners are giving colour to the above just to prejudice the minds of the Hon. Government. While ours is quite a straightforward transaction one of the Revision Petitioners, namely the West Coast Industrial Syndicate Ltd. have made over one of their services clandestinely and the other Revision Petitioner surrendered a service when he found it non-remunerative.

Contd. 52

9. The Revision Petitioners say that in Para 6 that the counterpetitioners will not adopt the same timing even after extensions.

In this connection, it is respectfully submitted that the counterpetitioners are adhering to the old timings even after extensions were granted to them. The counterpetitioners leave their service from Coondapoor at their old timing of 6 A.M. and the petitioners leave their service from Coondapoor at 8 A.M. The petitioners say that the counterpetitioners' service reach Mangalore after extensions are granted to them at 11.30 A.M. which can be of no harm to them as our service precedes theirs by over 2 hours.

The petitioners admit in the same para that their service is scheduled to reach Mangalore at 2 P.M. and hence it is very strange why the petitioners should object for the arrival of the counterpetitioners service to reach Mangalore at 11.30 A.M. wherein there is exactly 2.30 hours interval between the scheduled arrival of service of the petitioners.

Regarding the contention of the Revision petitioners that the timings now granted are unsuitable for the conveyance of mails, when the Postal authorities are agreeable for these timings and arrangements are being made to convey mails as per these timings, it is not known on what basis the petitioners are stating that the timings are inconvenient.

10. In Para 11 the petitioners say that the extension would result in curtailment of existing transport facilities to the passengers for a distance of 35 miles from Moodabidri to Someshwar and that it offends article 19(6) of the constitution.

In this connection the counterpetitioners beg to submit that there is no curtailment of transport facilities between Moodabidri and Someshwar as the portion Moodabidri to Karkal a distance of 11 miles is being run by the same bus even after extensions are granted. Regarding the portion between Karkal and Someshwar the counterpetitioners have applied for a trip for one of their other buses from Karkal to Someshwar and that application is pending disposal with the Regional Transport Officer and hence the question of offence under Article 19(6) of the Constitution if any does not arise.

Further it is highly surprising that these petitioners are blowing hot and cold in the same breath. In the beginning they say there is no traffic and increase of services are not justified and on account of these extensions they are put to loss and that therefore they object for same and here they say that by granting extension to the counterpetitioners, the passengers are inconvenienced on account of curtailment of a trip between Moodabidri and Someshwar and that therefore it offends Article 19 (6) of the constitution which is unintelligent.

Regarding their contention that the counterpetitioners are creating unhealthy competition by reducing the fares, we beg to submit that these petitioners since inception, have been overloading their buses and the suspensions cited above is a proof of what the counterpetitioners say. In spite of their overloading, it is not known how they say that the counterpetitioners are trying to ruin them when the counterpetitioners are not overloading their buses as a matter of policy since inception which fact could be verified from the local Transport Authorities as well as Police Department. The above facts are enough to say who is reducing the fares and competing. The counterpetitioners running in combine with several other bus owners, cannot afford to receive from the passengers less fare than what is actually shown

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[116960/54]

in the tickets unlike the petitioners who run on individual control.

Since the petitioners are not maintaining correct accounts they are in a position to receive less fare from the passengers than the fare shown in thetickets as otherwise it is unintelligible howthey are in a position to get more passengers than the permitted capacity every day.

In the light of the above explanations it is prayed that revision petitions filed by both the Revision petitioners may be dismissed in the interests of justice and equipty.

For The Canara Public Conveyance Co., Ltd.,

General Manager.

Counter Petitioners.

Home (Dr II) Dept

Subd. for kemal Rvsp. 37-65 above. The CRT Bd's remarks are awaited (RD 23.9.54)

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Telegram: "ENTERPRISE" MANGALORE.

Telephone: Kodialbail Workshops / General Manager's Office / Managing Director's Office } 55

Telephone: Managing Director's Residence 161 / Lorry Office & Bus Garage 141 / Hampankatta Office 198

THE CANARA PUBLIC CONVEYANCE CO., LTD.,

BANKERS:
Canara Bank, Ltd.
The Canara Banking Corporation, Ltd.
The Canara Industrial & Banking Syndicate, Ltd.

POST BOX NO. 85,
MANGALORE 3, S. K.

Ref.

26th June, 1954.

To

The Regional Transport Officer,
South Kanara, Mangalore.

Sir,

Sub:- Motor Vehicles - Stage Carriages - MDX 2428 and MDX 1972 - Variation by interchange of routes enabling direct services to Coondapur from Mangalore and vice versa instead of exchanging the passengers at Karkal - Our reply thereto - Your Notification No. Ref.C.6784/54-A dated 8-5-54 - Objections from M/S West Coast and M.A. Misquith etc. our reply thereto.

With reference to the above, we beg to submit as follows:-

With regard to the objection No. 1(a)(b)(c) of the above objections we would like to state that the contention of the objectors is that we were doing 130 miles hitherto on Mangalore Karkal Someshwar route and by granting the proposed extension, the mileage covered per day would be only 90 mls. and therefore the travelling public would be inconvenienced by curtailing the existing trips of that bus.

In this connection we would like to submit that the contention of the above objectors is incorrect since it could be seen from the timings applied for, in the event of the grant of the above extensions that the total mileage of each bus would not be less than the existing mileage and hence the question of inconvenience to the travelling public does not arise.

Regarding point No.(3) that we had not applied for this route earlier and that we had chosen to apply for this after the grant of 2 direct services to the objectors is also incorrect from the very fact of our having made a personal representation in the year 1948 to the then Transport Commissioner Sri R.P. Kapur I.C.S. stressing the need for 4 Express buses from Mangalore to Coondapur, when the Transport Commissioner had been to South Kanara and our subsequent written joint representation of M/S C.P.C. Co. Ltd, Hamuman Transport Co. Ltd. and S.V.M.Co. Ltd. dated 1-6-1948 made to the Transport Commissioner confirming the oral representation of ours in this connection and his oral assurance to give petrol rations for the above 4 express buses, would be a sufficient proof to prove our bonafides. We had requested in the said application for 4 buses as express services between Mangalore and Coondapur via Karkal and Someshwar. Since there are only 2 buses now running direct from Mangalore to Coondapur of the objectors and our present application is only to permit running of our 2 buses direct to Coondapur from Mangalore instead of exchanging the passengers from one bus to the other bus at Karkal and thereby inconvenience the travelling public in the middle, it could be clearly seen that the allegation levelled against

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us that we had applied for this to create unhealthy competition and put them to loss does not arise.

In 1948 when we M/S C.P.C.Co. Ltd, H.T.Co. Ltd. and S.V.M.Co.Ltd. jointly made this application to the Transport Commissioner on 1st June 1948 although these operators,were not in the field, then, as these operators came into the field in 1950, we had requested for grant of 4 buses as express services on the above route and that therefore the allegation made against us is baseless and misleading.

Regarding point No. 2 raised by the objectors, the total existing mileage of the other bus MDX 1972 is 114 miles and that after extension it would not be possible to run the 2 single trips on the existing route, whereby the public would be deprived of the existing transport facilities much needed by them is also incorrect from the following:-

That the objectors have failed to understand that in reality, it is not an extension now applied for but only a request for interchange of routes to these buses in order to run direct from Mangalore to Coondapur instead of exchanging the passengers from one bus to the other at Karkal.

At present MDX 2428 is running from Mangalore to Someshwar and returning back to Mangalore doing one cut trip between Moodabidri and Karkal. Similarly MDX 1972 is running from Coondapur to Karkal and back from Karkal to Coondapur.

Instead of MDX 2428 returning to Mangalore, we requested to exchange the Karkal-Someshwar Coondapur trip of MDX 1972 to this bus MDX 2428 and in return give the Karkal-Mangalore trip of MDX 2428 to MDX 1972, whereby there would be no actual extensions but only interchange of one single trip of MDX 1972 to MDX 2428 and one trip of 2428 to MDX 1972.

Even now fairly good number of passengers are travelling in our bus to Coondapur even incurring much inconvenience to get down at Karkal from one bus and board the other bus which is disliked by them. Even the Transport Commissioner had inspected the gate passes of these services and was fully satisfied that fairly good number of direct passengers are travelling in these buses justifying the changes requested by us.

Regarding Point No. 3 this objector had stated that we are the biggest fleet owners running many remunerative services on monopolistic basis on all routes. This is again incorrect and misleading. What the objector says against us applies to one of the two objectors Mr. M.A. Misquith. This operator had surrendered one of the Permits Urva Market to Kadri Market immediately he found it unremunerative and is now running only 2 remunerative services. In our case, the Regional Transport Officer knows that we have both remunerative and unremunsrative routes and hence that we are having many remunerative routes is incorrect. So also the objector has said that we are having monopoly routes which is also incorrect as the Regional Transport Officer is aware that there is not a single route wherein we are the only operators. There are other operators on every line and hence the allegation that we are having monopolistic routes is baseless.

Regarding the point No. 4 we beg to state that the objector himself is stopping his bus one night at Coondapur and the next night at Mangalore and he is objecting for the similar stoppages by others.

In item No. 5, the objector states as follows:- "If at all there is traffic need, M/S Hamman Transport Co. Ltd. would have applied for extra cut trips. My bus MDX 1842 and Bus MDX 1967 of West Coast Industrial Syndicate Ltd. were running a cut trip from Mangalore to Karkal and backward from Coondapur to Someshwar and back, but for want of traffic, these cut trips were stopped. In the absence of demand for more trips on the existing sectors from any of the existing operators, it is clear

Contd.

that there is no adequate traffic to extend any bus beyond sectors now authorised to them".

This objector is blowing hot and cold in the same breath if his earlier arguments enumerated in the same objection in Para (2) above are read. There he says that by giving us extension the public would be deprived of the existing transport facilities much needed by them and in Para 5, he says that there is no traffic which clearly shows that his objections are not based on facts and figures.

In Para 6 he is again giving some R.T.A. decisions to say that there is no sufficient traffic on Coondapur-Moodabidri route and hence several proposals brought forward before the Regional Transport Authority for introduction of additional buses were rejected.

This again is a conclusive proof to show that what he had stated in para 2 that by granting extensions as per our request, it would inconvenience the travelling public, is incorrect.

All along he is under the wrong notion that the present extensions now applied for, do not materially change the status quo as instead of 2 buses meeting half way and exchanging passengers and returning back to their starting place, one bus starts from Coondapur and goes straight to Mangalore and the other bus starting from Mangalor goes straight to Coondapur.

He is relying on G.O.M.S.No. 1037 which is applicable for issue of new Permits and this G.O. does not prohibit the granting extensions of the nature under question.

In Para No. 7 and 9 he had stated that we had sold 3 Permits to others and that we are trading in permits. In this connection we beg to submit that the word "trading in Permits" used by the objector is incorrect and baseless.

Though this company being one of the oldest companies of this district having started the Transport services as far back as 1914, it has not so far since 40 years of its existence sold even a single permit except the Permits referred to by the objector which was entirely due to force of circumstances and in the interest of the travelling public. This objector raised these very objections at the time of transfer of permits and he was over ruled even at that time.

The Regional Transport Authority has satisfied with our bonafides and also that we had not traded on Permits; they were pleased to accord their permission for transfer.

The objector seems to believe in the Hitlerian tactics that an untruth repeated continuously will be begun to be believed by those who hear it.

In view of the detailed explanations submitted above, we request that the objections may be overruled and request granted.

Yours faithfully,

General Manager.

Ksb/Rj

[116960/54]

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A.F. 32 (a)— 184-46-5-11-51

TRANSPORT

Department

From (Name) Sri C. Raghupathy Row Naidu, B. A.,

Designation Secretary,

Station Central Road Traffic Board, Madras. 8.

Received ——— Registered ———

To

The

Secretary to Government,
Home Department,
MADRAS.

Enclosures:

No. R. No. 38720-A1-54, dated 19..9..1954. 195

ASSISTANT SECRETARY TO GOVERNMENT
22 1954
HOME DEPARTMENT

124325

Sir,

Sub: Motor Vehicles-Stage carriages - R. T. A. South Kanara - Routes Mangalore to Someshwar and Coondapoor to Karkal - Extension granted by Regional Transport Officer - Revision petitions to Govt.

Ref: Govt. Memo No. 116960-Tr. II/54-1, Home dt. 7.9.54.

The report due from the Regional Transport Officer, Mangalore, has not been received yet. He has been reminded. The Board's reply will be submitted immediately on receipt of the Regional Transport Officer's report.

for Secretary.

AM/20.9.

Home (Tr. II) Dept.

Subo. for perusal. Next RD. 27.9.54.

22.9.54

24/9/54

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TRANSPORT DEPARTMENT

From

Sri K. C. Nambiar, B.A.,
Regional Transport Officer,
South Kanara, Mangalore.2.

To

The Secretary,
Central Road Traffic Board,
Madras.8. (in duplicate with records)

Ref.C.11181/53-A dated 17-9-54

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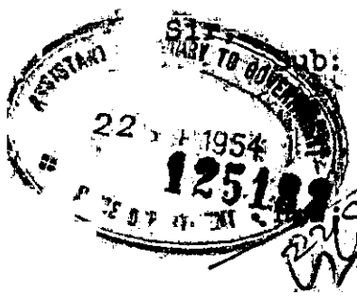

Sir,

Sub: Motor Vehicles - Stage carriages - Regional Transport Authority, South Kanara- Routes Mangalore to Someshwar and Coondapur to Karkal - Extensions granted to the C.P.C.Co.,Ltd.,Mangalore by Regional Transport Officer- Revision petitions to Government - Remarks - Submitted. Govt. Memorandum No.116960/Tr.Home Department dated 7-9-54 II-54-1

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On 4-9-54, the C.P.C.Co.,Ltd.,Mangalore applied for variation of route Mangalore to Someshwar and Coondapur to Karkal in respect of their two buses by extension from Someshwar to Coondapur & Karkal to Mangalore respectively. The proposal was notified under section 47 (1) of Motor Vehicles Act inviting representations. After making local enquiries I placed the proposal before the R.T.A.South Kanara along with the representations received in response to the Notification for recording their views. The R.T.A.recommended the proposal. The proposal was submitted to Chairman, Central Road Traffic Board, for prior approval. The proposal was approved by Chairman, Central Road Traffic Board in proceedings D.Dis.1256/A1/54 dated 24-4-5 Thereafter the Company's application for variation of route was notifie under section 57 (3) of Motor Vehicles Act inviting representations. The applicant and the persons who submitted representations in response to the Notification were heard on 30-6-54. After taking into consideration all the relevant representations made, I allowed the variation applied for by the C.P.C.Co.,Ltd., Mangalore. The present revision petitions of the West Coast Industrial & Commercial Syndicate,Mangalore and Sri A. Misquith, Prop. Misquith Motor Service, Mangalore are against my above orders.

The grounds of appeal in both the revision petitions are identical. I submit below my remarks on the revision petitioner of West Coast Industrial & C.S.Ltd., Mangalore. These apply to the revision petition of Sri Misquith are toto.

Para. 1 of W.C.I.&.C.S. Ltd. (Para 1 of Misquith): No remarks

Para. 2. of -do- (-do-): I considered all the aspects of the case before granting the variation.

Para. 3 of W.C.I.&.C.S. (Para 1 of Misquith): This is not completely correct. Mangalore to Karkal is an independent route with one bus but it is also a sector of the long route, Mangalore to Coondapur. Someshwar to Coondapur is not a separate route.

Para 4. of W.C.I.&.C. (Para 1 of Misquith): The decision of the R.T.A.S.K. dated 31-1-54 referred by the revision petitioners related to the introduction of Express bus service and not for ordinary stage carriages. The extension of route granted is in respect of ordinary stage carriages.

Para. 5. of W.C.I.&.C.S. (Para 2 of Misquith): The extension granted was with due reference to the present condition. The correspondence of 1948 was produced by the applicants (C.P.C.Co.,Ltd.,Mangalore) to refute the representations made in para 1(c) of the W.C.I.&.C.S.Ltd., Mangalore and the Misquith Motor Service, Mangalore dated 21-5-54 & 26-5-54 respectively found at pages 83 and 89 of my office file submitted herewith.

Para 6 of W.C.I.&.C.S. (Para2 of Misquith): The revision petitioners contention that the travelling needs of the direct passengers from Mangalore to Coondapur are well served does not appear to be correct as there is only one service starting from either end and performing a direct service a day. The other services introduced as represented by the revision petitioners is more to serve the travelling needs of

various other localities and short distance passengers. They cannot be said to serve the travelling needs of direct passengers as their terminii are different. The traffic position now is undoubtedly not the same as it was in '48. The extension was given granted with reference to the present position.

Para. 7. of W.C.I.&.C.S. (Para 2 of Misquith) The applicant and the revision petitioners were together heard on 30-6-54 and both presented written petitions found at page 101 to 115 refuting the objections and claims of one another.

Para.8. of W.C.I.&.C.S. (Para 3 of Misquith): There was no need to call for the collection statements of the operators as a case of overload by 12 passengers was detected in the bus of one of the revision petitioners (viz. W.C.I.&.C.S.Ltd.,) though this related to 1952.

Para 9 of W.C.&.C.S.(Para 3 of Misquith): When the collection statement of the C.P.C.Co.,Ltd., Mangalore show that they carry direct passengers from Mangalore to Coondapur by transhipment in two buses, there is no reason why it cannot be relied upon and why this avoidable hardhip of transhipment of passengers should not be overcome by grant of extension.

Para.10 of W.C.I.&.C.S.(Para 4 of Misquith) : No remarks.

Para.11 -do- (Para 5 of Misquith): There is no bar for granting extensions to those who have transferred permits.

Para.12. of W.C.I.&.C.S.Ltd.,(Para 5 of Misquith): No remarks

Para. 13 (Para 6 of misquith) The contention of the revision petitioners is not correct. There is no change in the departure timings now granted to the C.P.C.Co.,Ltd., at either ends after extension as stated in my grant order dated 3-8-54.

Para.14 (Para 6 of Misquith) The extension granted was not for conveyance of postal mail alone and hence it is not necessary that they should suit postal mail timings.

Para.15 (Para 6 of misquith): No remarks in view of the para 14 above.

Para.16 (Para 7 of Misquith): I considered that the curtailment may not likely to cause inconvenience to the travelling public as there are other services which they can make use of for travelling short distances. In any case I am examining the need for providing additional trips on this sector to counter balance the loss of two singles.

Para.17(Para 8 of Misquith) There is no rule prohibiting collection of lesser fares.

Para. 18 (Para 8 of Misquith) : No remarks

Para. 19 (Para 9 of Misquith): The revision petitioners do not say how their contention is substantiated.

Para.20 (Para 9 of Misquith) The instruction in G.O.Ms.No.1405 dated 31-3-50 is to prevent binami transfers. In the case of transfer of permits by the C.P.C.Co.,Ltd., Mangalore the R.T.A.,S.K., allowed the transfer after satisfying itself about the company's bonafides. I therefore do not think that G.O.Ms.No.1405 dated 31-3-50 is applicable in this particular case.

Para 21 (Para 10 of Misquith) The representations and grievances of the revision petitioners were duly taken notice of

Para, 22 & 23 (Para 10 of Misquith): No remarks

My I enclose my office file C.No.11181/53 containing 152 pages along with a rough sketch map of the route. A statement showing the number of buses plying on the sectors is also submitted. and the connected routes

18-9-54

Regional Transport Officer,
South Kanara.

18/9/54

Copy submitted to the Secretary to Govt, Home Department, Madras direct.

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STATEMENT SHOWING NUMBER OF BUSES AND NUMBER OF TRIPS ON THE ROUTE MANGALORE TO COONDAPUR

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Sectors	Distance	No.of buses running on the sector	No.of trips performed on the sector
A-B (Mangalore- Gurpur)	10 Miles	27	10
B-C (Gurpur - Kaikamba)	2 "	25	82
C-D (Kaikamba - Moodabidri)	10 "	19	46
D-E (Moodabidri- Karkal)	11 "	23	51
E-F (Karkal - Jodurasta)	2 "	23	53
F-G (Jodurasta - Muniyal)	10 "	10	23
G-H (Muniyal - Kelajeddu(Sitanady)	10 "	8	15
H-I (Kelajeddu(Sitanady)-Someshwar)	3 "	13	41
I-J (Someshwar - Halady)	17 "	6	9
J-K (Halady- Koteshwar)	12 "	10	25
K-L-(Koteshwar - Coondapur)	3 "	13	55
	90 miles		

Note: The above figures include also the trips now performed by the two buses the extension of route of which is under revision.

L. Chandran 18-9-54

Regional Transport Officer,
South Kanara.

vjd/ 18-9

18/9/54

61

52—14,67,650—21-8-52.

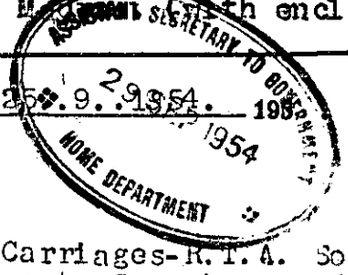
Transport Department

Received _____ Registered _____

From (Name) Sri C. Raghupathy Row Naidu, B. A.,
Designation Secretary,
Station Central Road Traffic Board, Madras.8.

To

The
Secretary to Government,
Home Department,
[illegible] (with encls.)



Enclosures:

No. 38720-A1-54 dated 25.9.1954. 195

Sir,

Sub: Motor Vehicles-Stage Carriages-R.T.A. South Kanara -Route Mangalore to Someshwar and Coondapur to Karkal -Extensions granted by Regional Transport Officer -Revision petition to Govt.

Ref: Govt. Memo No. 116960/Tr.II/54-1, Home dt. 7.9.54.

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.The Central Board submits herewith a copy of letter No. 11181/53-A dated 17.9.54 received from the Regional Transport Officer, Mangalore,. The report of the Regional Transport Officer covers all the points.

The connected records of the Regional Transport Officer, a rough sketch map of the route and the connected routes and a statement showing the number of buses plying on the various sectors of the route are also submitted for reference and return.

for Secretary.

AM/27.9.

63

TRANSPORT DEPARTMENT

From

Sri K. C. Nambiar, B.A.,
Regional Transport Officer,
South Kanara, Mangalore.2.

To

The Secretary,
Central Road Traffic Board,
Madras.8. (in duplicate with records)

Ref.C.11181/53-A dated 17-9-54

******

Sir,

Sub: Motor Vehicles - Stage carriages - Regional Transport Authority, South Kanara- Routes Mangalore to Someshwar and Coondapur to Karkal - Extensions granted to the C.P.C.Co.,Ltd.,Mangalore by Regional Transport Officer- Revision petitions to Government - Remarks - Submitted.

Ref: Govt. Memorandum No.116960/Tr.Home Department dated 7-9-54 II-54-1

******

On 4-9-54, the C.P.C.Co.,Ltd.,Mangalore applied for variation of route Mangalore to Someshwar and Coondapur to Karkal in re respect of their two buses by extension from Someshwar to Coondapur & Karkal to Mangalore respectively. The proposal was notified under section 47 (1) of Motor Vehicles Act inviting representations. After making local enquiries I placed the proposal before the R.T.A.South Kanara along with the representations received in response to the Notification for recording their views. The R.T.A.recommended the proposal. The proposal was submitted to Chairman, Central Road Traffic Board, for prior approval. The proposal was approved by Chairman, Central Road Traffic Board in proceedings D.Dis.1256/A1/54 dated 24-4-5 Thereafter the Company's application for variation of route was notifie under section 57 (3) of Motor Vehicles Act inviting representations. The applicant and the persons who submitted representations in response to the Notification were heard on 30-6-54. After taking into consideration all the relevant representations made, I allowed the variation applied for by the C.P.C.Co.,Ltd., Mangalore. The present revision petitions of the West Coast Industrial & Commercial Syndicate,Mangalore and Sri A. Misquith, Prop: Misquith Motor Service, Mangalore are agains my above orders.

The grounds of appeal in both the revision petitions are identical. I submit below my remarks on the revision petitioner of West Coast Industrial & C.S.Ltd., Mangalore. These apply to the revision petition of Sri Misquith also toto.

Para. 1 of W.C.I.&.C.S. Ltd. (Para 1 of Misquith): No remarks

Para. 2. of -do- (-do-): I considered all the aspects of the case before granting the variation.

Para. 3 of W.C.I.&.C.S (Para 1 of Misquith): This is not completely correct. Mangalore to Karkal is an independent route with one bus but it is also a sector of the long route, Mangalore to Coondapur. Someshwar to Coondapur is not a separate route.

Para 4. of W.C.I.&.C. (Para 1 of Misquith): The decision of the R.T.A.S.K. dated 31-1-54 referred by the revision petitioners related to the introduction of Express bus service and not for ordinary stage carriages. The extension of route granted is in respect of ordinary stage carriages.

Para. 5. of W.C.I.&.C.S. (Para 2 of Misquith): The extension granted was with due reference to the present condition. The correspondence of 1948 was produced by the applicants (C.P.C.Co.,Ltd.,Mangalore) to refute the representations made in para 1(c) of the W.C.I.&.C.S.Ltd., Mangalore and the Misquith Motor Service, Mangalore dated 21-5-54 & 26-5-54 respectively found at pages 83 and 89 of my office file submitted herewith.

Para 6 of W.C.I.&.C.S. (Para2 of Misquith): The revision petitioners contention that the travelling needs of the direct passengers from Mangalore to Coondapur are well served does not appear to be correct as there is only one service starting from either end and performing a direct service a day. The other services introduced as represented by the revision petitioners is more to serve the travelling needs of

65

[redacted] short distance passengers. They cannot [redacted] needs of direct passengers as their [redacted] traffic position now is undoubtedly not [redacted]. The extension was given granted with [redacted] position.

[redacted] W.C.I.&.C.S. (Para 2 of Misquith) The applicant and the [redacted] petitioners were together heard on 30-6-54 and both presented written petitions found at page 101 to 115 refuting the objections and claims of one another.

Para.8. of W.C.I.&.C.S. (Para 3 of Misquith): There was no need to call for the collection statements of the operators as a case of overload by 12 passengers was detected in the bus of one of the revision petitioners (viz. W.C.I.&.C.S.Ltd.,) though this related to 1952.

Para 9 of W.C.&.C.S.(Para 3 of Misquith): When the collection statement of the C.P.C.Co.,Ltd., Mangalore show that they carry direct passengers from Mangalore to Coondapur by transhipment in two buses, there is no reason why it cannot be relied upon and why this avoidable hardhip of transhipment of passengers should not be overcome by grant of extension.

Para.10 of W.C.I.&.C.S.(Para 4 of Misquith) : No remarks.

Para.11 -do- (Para 5 of Misquith): There is no bar for granting extensions to those who have transferred permits.

Para.12. of W.C.I.&.C.S.Ltd.,(Para 5 of Misquith): No remarks

Para. 13 (Para 6 of misquith) The contention of the revision petitioners is not correct. There is no change in the departure timings now granted to the C.P.C.Co.,Ltd., at either ends after extension as stated in my grant order dated 3-8-54.

Para.14 (Para 6 of Misquith) The extension granted was not for conveyance of postal mail alone and hence it is not necessary that they should suit postal mail timings.

Para.15 (Para 6 of misquith): No remarks in view of the para 14 above.

Para.16 (Para 7 of Misquith): I considered that the curtailment may not likely to cause inconvenience to the travelling public as there are other services which they can make use of for travelling short distances. In any case I am examining the need for providing additional trips on this sector to counter balance the loss of two singles.

Para.17(Para 8 of Misquith) There is no rule prohibiting collection of lesser fares.

Para. 18 (Para 8 of Misquith) : No remarks

Para. 19 (Para 9 of Misquith): The revision petitioners do not say how their contention is substantiated.

Para.20 (Para 9 of Misquith) The instruction in G.O.Ms.No.1405 dated 31-3-50 is to prevent binami transfers. In the case of transfer of permits by the C.P.C.Co.,Ltd., Mangalore the R.T.A.,S.K., allowed the transfer after satisfying itself about the company's bonafides. I therefore do not think that G.O.Ms.No.1405 dated 31-3-50 is applicable in this particular case.

Para 21 (Para 10 of Misquith) The representations and grievances of the revision petitioners were duly taken notice of

Para, 22 & 23 (Para 10 of Misquith): No remarks

My I enclose my office file C.No.11181/53 containing 152 pages along with a rough sketch map of the route. A statement showing the number of buses plying on the sectors is also submitted.

18-9-54

Regional Transport Officer,
South Kanara.

Copy submitted to the Secretary, To Govt. Home Department, Madras direct.

67

STATEMENT SHOWING NUMBER OF BUSES AND NUMBER OF TRIPS ON THE ROUTE MANGALORE TO COONDAPUR

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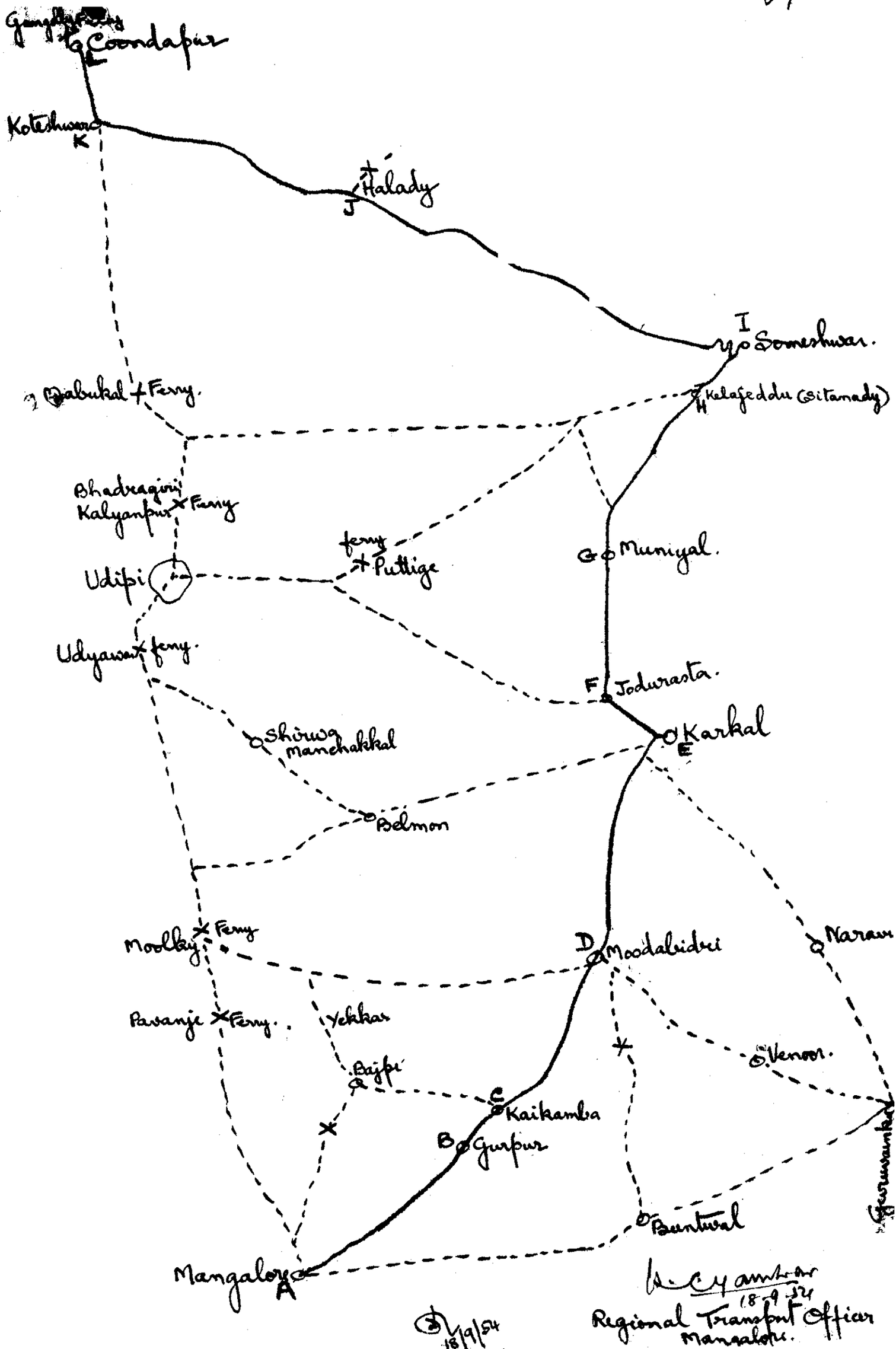
Sectors	Distance	No.of buses running on the sector	No.of trips performed on the sector.
A-B (Mangalore- Gurpur)	10 Miles	27	110
B-C (Gurpur - Kaikamba)	2 "	25	82
C-D (Kaikamba - Moodabidri)	10 "	19	46
D-E (Moodabidri- Karkal)	11 "	23	51
E-F (Karkal - Jodurasta)	2 "	23	53
F-G (Jodurasta - Muniyal)	10 "	10	23
G-H (Muniyal - Kelajeddu(Sitanady)	10 "	8	15
H-I (Kelajeddu(Sitanady)-Someshwar)	3 "	13	41
I-J (Someshwar - Halady)	17 "	6	9
J-K (Halady- Koteshwar)	12 "	10	25
K-L-(Koteshwar - Coondapur)	3 "	13	55
	90 miles		

Note: The above figures include also the trips now performed by the two buses the extension of route of which is under revision.

18-9-54

Regional Transport Officer,
South Kanara.

vjd/ 18-9 18/9/54.



18/9/54

Regional Transport Officer
Mangalore.

C No 116960 Tr II/52

71 Home (Tr II) Dept

G.O.R.No 3396 dated 17/11/54

M.Vs. Stage carriages. R.T.A South Kanara - Route Mangalore to Someshwar and Coondapur to Karkal - Variation by extension from Someshwar to Coondapur and from Karkal to Mangalore in respect of one bus on each route granted by RTA Revision petitions to Govt - Rejected.

5/17/11

Read:

Mp 1-8 cy — From Sri Misquith Motor Service, revision petition dd 30.8.54

Mp 23-30 cy — From M/s. West Coast Industrial and Commercial Syndicate revision petition dd 28.8.54

Mp 37-45 cy — From the Canara Public Conveyance Ltd, representation dd 11.9.54

Mp 61 cy — From the Secy, CRT Bd, no. 387/20 A1/54 dd 25.9.54

Order.

In this proceedings

Mp 11-12 cy — C. No. 11181/53-A dated ~~17.8.54~~ 3.8.54 the Regional Transport Officer, Mangalore granted variation of the routes (1) Coondapur to Karkal via Someshwar and (2) Mangalore to

PJ

Someshwar via Karkal upto Mangalore ~~to~~ and Coondapur respectively in respect of one bus on each route of M/s The Canara Public Conveyance Co. Ltd. Against this order, the petitioners have come up to Govt in revision

1/12

2. The Govt have examined the case with reference to the revision petitions cited, the connected records and the representation of the respondent There is nothing illegal, irregular or improper in the order of the R.T.O. South Kanara in his proceedings referred to in para 1 above. The Governor of Madras therefore declines to interfere

RJ 13/11/54 Ev 15/11/54

A 15 Nov 54

To

Sri A. Misquith, Proprietor,
Misquith Motor Service,
Hampankatta, Mangalore-1
South Kanara.
(under certificate of posting)

M/s. West Coast Industrial And Commercial Syndicate Ltd,
Balmatta
Mangalore 1.
South Kanara.
(under certificate of posting)

Endts No. M/s Canara Public Conveyance Ltd Mangalore 3. S.K.
Dis 2/12

The RTO South Kanara.
The C.R.T.A., Madras 8.

* M/s Canara Public Conveyance Co Ltd

(C.No.116960/Tr.II/54)

HOME DEPARTMENT

M.Vs. - Stage Carriages - R.T.A., South Kanara - Routes Mangalore to Someshwar and Coondapur to Karkal - Extensions granted by R.T.O. - Revision petitions to Govt.

From Sri Misquith Motor Service, revision petition d/30-8-54.
From M/S West Coast Industrial and Commercial Syndicate, revision petition dated 28-8-1954.
Issued as Memo No. 116960 Tr.II/54-1 Home dated 7-9-54.
From the Canara Public Conveyance Co., Ltd. representation dated 11-9-1954.
From the Secy. C.R.T.Bd. No. 38720 A1/54 Dated 25-9-1954.

ABSTRACT

District	...	South Kanara
Routes	...	i.Mangalore to Someshwar and ii.Coondapur to Karkal.
R.T.O. Order	...	Granted extension (i) from Someshwar to Coondapur and (ii) from Karkal to Mangalore
Petition to Govt.	(No appeal lies to the C.R.T.Bd.)	From Misquith Motor Service and from West Coast Industrial and commercial syndicate to set aside the extension granted.

This is a case of revision petitions from Misquith Motor Service and the West Coast Industrial and Commercial Syndicate against the orders of the R.T.O. Mangalore on pp.11-12 c.f. The remarks of the R.T.O. South Kanara are at pp. 63-66 c.f. A rough sketch of the route is at p. 69 c.f. A statement showing the number of buses on the route Mangalore to Coondapur is at p. 67 c.f. The representation of the respondents the C.P.C. Co., Ltd., are at pp. 37-45 c.f. The connected records are at (A).

The history of the case is as follows:-

M/S The C.P.C. Co., Ltd., applied for extension by variation of the route (1) Coondapur to Karkal (via) Someshwar and (2) Mangalore to Someshwar Via Karkal upto Mangalore and Coondapur respectively. After following the prescribed formalities the R.T.O. South Kanara in his proceedings dt.3-8-54 allowed the variation applied for by the C.P.C. Co., Ltd. Against these orders Misquith Motor Service and the WestCoast Industrial and Commercial Syndicate, Mangalore have preferred revision petitions. These revision petitions are almost identical.

(i) The petitioners contend that the travelling needs of direct passengers from Mangalore to Coondapur are served more

than adequately by the two buses already plying on the route Mangalore to Coondapur and also by buses of other services on the several sectors of the route, that the R.T.O. has failed to take into consideration the present state of affairs but has based his decision to grant extension of route on the representations of big fleet owners made as far back as 1948, and that the R.T.O. has also failed to call for the collection statements of the operators on Mangalore to Coondapur to assess the volume of traffic on the two direct buses granted to new operators in 1950.

The R.T.O. has stated that the extension granted was with due reference to the present conditions and that the revision petitioner's contention at S above does not appear to be correct as there is only one service starting from either end and performing a direct service a day. The other services introduced as represented by the revision petitioners are more to serve the travelling needs of various other localities and short distant passengers, and that they cannot be said to serve the travelling needs of direct passengers as their termini are different.

(ii) The petitioners have stated that the C.P.C. Co., Ltd., were trading permits and that they sold four of their permits and as such they are not entitled for any new route or extension. In his proceedings d/3-8-54 the R.T.O. has stated that the permits referred to were transferred with the permision accorded by the R.T.A. after satisfying the Company's bonafides and this cannot be considered as a reasonable ground for rejecting the application for extension of routes. There is no bar for granting extension to those who have transferred permits for valid reasons.

(iii) The petitioners have also contended that the extension granted has affected their direct service from Coondapur to Mangalore and the timings now granted is not suitable for conveyance of postal mail for which the extension was considered necessary.

J. in M65 of

The R.T.O. has stated that the above contention is not correct as there is no change in the departure timings now granted to the C.P.C. Co., Ltd., at either ends after extension. He has also stated that the extension granted was not for conveyance of postal mail alone and hence it is not necessary that they should suit postal mail timings.

para 7, M6 of

(iv) The petitioner's have also contended that by granting the extension there will be curtailment of transport facilities between Moodabidri and Someshwar of two trips to the detriment of the interests of the travelling public.

E in M65 of

The R.T.O. has stated that the curtailment is not likel to cause inconvenience to the travelling public as there are other services which they can make use of for x travelling short distances and that in any case he is examining the need for providing additional trips on this sectors to counter balance the loss of two singles.

M11-12 of

The R.T.O. is satisfied that there is traffic need for putting through buses on route Mangalore to Coondapur, that the extension will alleviate the inconvenience caused to through passengers by transhipment etc. and that it will only be in the interest of the travelling public and that no existing operator will be affected by that. In the circumstances there seems to be no xxxxx case for petitioners. It is seen from the records that the P.M.G. had also requested for the opening of a direct route between Mangalore and Coondapur via Karkal and Someshwar as this would serve as a stand by for the existing mail route which goes via Udipi - Please see his D.O. letter on p. 71 of (A). The T.C. had also personally discussed the matter and was satisfied that the variation was necessary in public interests and the proposal was therefore approved. The buses are at present doing 138 and 114 miles per day. After variation the buses will be doing 156 and 154 miles a day. There are no procedural irregularities

c/f M 73-75 in (A)

para 3, M 73 in (A)

A+B in M133 in (A)

The file may be circulated to M (R.E.&T.) for orders whether the petitions may be rejected.

RSS. 20.10.52. EV 20/10/52

There are no procedural irregularities and the points raised by the Petitioners refer to the merits of the variation

The Petitioners contend that what has been granted is virtually a new route. The report of the R.T.O. shows that through Mangalore to Kaikal may be deemed as an independent route, it forms a section of the present route, and Somehwara to Coondapur and Mangalore to Coondapur are only sections. Hence the Consideration of the proposal as an extension appears to be correct and economical

The next Contention of the Petitioners is that there is no real necessity for the present ~~Contention~~ extensions The R.T.O. has stated that there are through passengers, and the direct Connection is to provide through facilities for them and to eliminate there having to change buses at Kaikal The existing facility of one through bus from each end is not adequate as shown by the Collection Statement of the Respondent and by the Cases of overload It does not appear necessary to get this necessity Confirmed by the Collection statements of all operators The existing

facility is also for an express bus service and not for ordinary service. If the recommendation of 1968 has been mentioned by the R.T.O. it is only in passing, and the present conditions have actually been taken into account.

The Petitioners have raised certain other points, which do not appear to be strong. The Respondent has no doubt disposed of some points, but this was with the approval of the R.T.A. and this cannot be termed as trafficking in permits. Legitimate transfers are no legal bar. The report of the R.T.O. shows that the old timings at the terminus have been preserved. And a difference of two hours at one end between the bus of the Respondent and that of one of the Petitioners cannot be termed unreasonable. The carrying of postal mails though not directly affected by the extension appears also in consonance with the request of the postal authorities to have an alternative route.

There is one point however which deserves some consideration. There is a curtailment of two single trips on the section Moodabidre to Someshwar by the present arrangement. The R.T.O. has stated that the public will not feel this

11651 of 54 M.

A 2716

curtailment as the existing services are adequate Moreover the R.T.O. is also contemplating making adjustments by short distance buses with additional trips Hence the curtailment in this case does not appear a serious objection

The R.T.A. and Chairman, C.R.T.B., have approved the proposal. The buses of the Respondent which were doing 138 and 114 miles per day before, will now do 156 and 154 miles per day. In spite of some curtailment of the existing facility in one sector, the extensions appear to cater for long distance through passengers, which is in public interest Under these circumstances the ext.....s appear to have been correctly granted Hence these Revision Petitions may be rejected

J. Subbulakshmy
25 Oct 54

B Rameswaran
12/11/54
M. (RE & T)

A draft order is submitted for approval

RSS. 15.11.54

Approved
15 Nov 54

DEPUTY SECRETARY TO GOVERNMENT
13 NOV 1954

Issued as G.O.R. 3396 Home d 17-11-54

MISQUITH MOTOR SERVICE

HAMPANKATTA,

Ref. No. _____ MANGALORE-1. 12th December 1954

SPECIAL SECRETARY TO GOVERNMENT
15 DEC 1954
HOME DEPARTMENT

The Secretary,
Government of Madras,
Home Department,
Fort St.George,
Madras,9.

Sir,

I beg to request you to kindly grant me a copy of the representation of The Canara Public Conveyance Co.Ltd., Mangalore, dated 11-9-1954, on my revision petition dated 30-8-1954, in your order No.G.O.M.3396 dated 17-11-54.

M 37-45 in (A)

M 1-8 in (A)

162386 15/12

M 71-72 (A)

Yours faithfully,
for MISQUITH MOTOR SERVICE,
A Misquith
Proprietor.

MISQUITH MOTOR SERVICE

HAMPANKATTA,

Ref. No..... MANGALORE-1. 3rd January 195 5

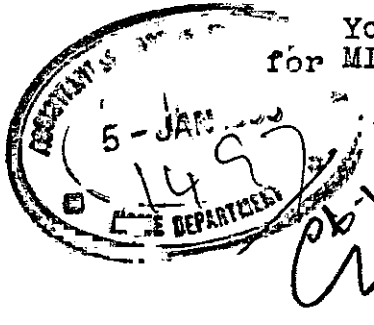
The Secretary,
Government of Madras,
Home Department,
Fort St.George,
Madras.

Sir,

With reference to your Memorandum No. 162385 Transport II/54-1, dated 21-12-54, I beg to enclose herein copy papers. I pray that the copy of the representation of M/s. C.P.C.Co.Ltd., dated 11-9-54, may kindly be sent to me.

Yours faithfully,
for MISQUITH MOTOR SERVICE,

Misquith
Proprietor.



Home Dept

C No 162386 Tr II/54

60
2/1/55

MC

CENTRAL DELTA CJ BRANCH
Rec.
Despatched by Regd. Post.
Messenger.
Date 23/12/1954. Despatcher's Initials

To
M/s. Misquith Motor Service
Hampankatta
Mangalore 1

Home Dept

Memo no 162386 Tr II/54 d. 21.12.54,
Records - copy of representation of the C.P.C. Co Ltd, Mangalore, d 11.9.54. Furnishing of.
Ref: from M/s. Misquith Motor Service letter, d 12.12.54

M/s. Misquith Motor Service are requested to furnish not later than 3.1.55 ten copy stamped papers for making out a copy of the representation referred to in their letter dated 11.9.54 which was furnished to them

RBS 20.12.54 EV 20/1/1954 PBB 21.12.54 PTD

4

Note: According to para 643(1) of the Secretariat Office Manual no search fee is leviable as the copy of representation required by M/s Misguth Motor Service relates to the current calendar year. W.r.t para 643(2) of the Sectt. Office Manual, When copies are not available in print, the applicants should be asked to send the requisite number of copy stamped papers and/or Court fee stamps and/or cash. The applicants have not sent the copy-stamped papers and they be asked to furnish them. The draft Memo submitted by applicants is for approval

Note is no objection to giving them a copy of the representations.

20.12.54

20.12.54

21.12.54

Q No 162386 Tr II/54

Home Dept

Memo No 162386 Tr II/54-2 d. 15-1-55

Document - certified copy of representation from M/s The Canara Public Conveyance Co Ltd in the matter of extension of routes Mangalore to Someshwar and Coondapur to Karkal furnishing of

15/1/55

H c/f

d/f 5 cy

Rep: from M/s. Misquitta Motor Service, letters d. 12-12-54 and 31-1-55

H 32-45 cy

in (A) the A certified copy of representation d. 11.9.54 submitted made by M/s. The Canara Public Conveyance Co Ltd against the revision petition dt. 30.8.54 preferred to Govt by the petitioner in the matter of grant of extension of routes Mangalore to Someshwar and Coondapur to Karkal as furnished.

11.1.55 H/1/55

12.1.55

To,
M/s. Misquitta Motor Service
Hampankatta
Mangalore
(with enclosure)

CENTRAL BRANCH
W.r
Date 19 Despatcher's Initials